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THE REVOLUTION AND THE COMMON MAN

Farm Tenants and Artisans

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Staughton Lynd

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ABSTRACT

The Revolution and the Common Man: Farm Tenants and Artisans in New York Politics, 1777 -- 1788
by Staughton Lynd

This study seeks to interpret the meaning of the American Revolution and the United States Constitution by examining the experience of two lower-class groups in the state of New York: the farm tenants of Dutchess County, and the artisans of New York City. Part I relates the conflict of landlord and tenant in Dutchess from the mid-century through the Revolutionary War, with special attention to the movement for confiscation of Loyalist lands in 1777-1780. Part II tells of the formation of a merchant-artisan alliance in support of a stronger Federal government during the years 1783-1788.

The evidence brought forward lends support to both of the presently-dominant interpretations of the Revolutionary Era. An internal struggle as to "who should rule at home" was chronic in Dutchess County before, during and (to a lesser extent) after the War for Independence. The same socio-economic groups, to a striking extent the same individual politicians, opposed one another in a series of social-revolutionary crises: the tenant rising of 1766; the movement for price regulation and land confiscation during the war; and the battle over ratification of the United States Constitution. The conflict was essentially one between a few aristocratic landlords and the great mass of the county's farmers, in particular the sizeable population of tenants. The Revolution in Dutchess was indeed a social revolution as well as an independence struggle. The great landlords were ejected from political office. More than 100,000 acres in south Dutchess, the heartland of the 1766 rising,

were confiscated from Loyalist landlords and sold in small lots, often to former tenants.

But if the revolutionary experience of Dutchess tenants conforms to the interpretations of Charles Beard and Carl Becker, the story of the New York City artisans backs up the recent revisionist views of Robert Brown and Forrest McDonald. For the artisans, in contrast to the rural lower-class, overwhelmingly and enthusiastically supported the United States Constitution. After a period (1783-1785) of considerable bitterness between merchants and artisans, as all groups of ex-refugees struggled for economic footholds in the post-war city, the depression of 1785 converted to Federalism, first the old Sons of Liberty leadership, then the rank-and-file of artisans. The Anti-Federalists of New York City were a handful of merchants, without exception either newcomers to the city or prominent office-holders in the state government. Well before 1787, the city artisans had explicitly rejected Anti-Federalist leadership.

A concluding chapter attempts to synthesize these two, apparently contradictory, phenomena. It is suggested that both class and sectional influences were at work in the behavior of both Dutchess tenants and New York City artisans during ratification. The former, although steeped in the traditional anti-landlordism, were also influenced by the expanding network of commercial farming: the split of the Dutchess delegation at the New York ratifying convention seems to express this conflict of influences. The latter, while solidly Federalist in the ratification contest, had a far more

democratic program than their merchant allies. Once ratification was assured, the artisans at once began to reopen old quarrels with the mercantile upper-class.

The United States Constitution, then, as seen through the eyes of the common people was neither wholly the creature of a capitalist minority as suggested by Charles Beard, nor simply the democratic and public-spirited document conceived by traditionalists and revisionists. It was both capitalist and democratic, and the Founding Fathers saw more clearly than many later apologists that these two aspects of their work were by no means altogether in harmony.

ACKNOWLEDGEMENTS

A married graduate student in straitened circumstances needs many kinds of help to complete a big piece of research. I hope that all those who helped, in so many ways, will find some reward in the final product. I want particularly to thank:

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Staughton Lynd
Atlanta, Ga.

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INTRODUCTION

This is a study of democracy and nationalis in the American Revolution, as revealed by the experience of two lower-class groups: the tenant farmers of Dutchess County, and the New York City artisans.

In method, the study stresses the use of local history to test broad historical generalizations, and the comparison of the American Revolution with the revolutionary experience of other countries. A few words need saying at the outset as to each of these points.

Amid the cut and thrust of scholarly controversy over the meaning of the Revolutionary Era, all combatants have agreed on the need for more detailed local studies.[1] Charles Beard himself recognized that "not even a beginning" had been made on the "enormous and laborious researches" required either to prove or disprove his interpretation. Beard said of his own pioneering pages that they merely sketched "the broad outlines of the study which must be filled in and corrected by detailed investigations."[2] Recent critics of Beard charge correctly that, after the publication of An Economic Interpretation of the Constitution of the United States, he did not proceed to the close-in study his book advised. Yet these same critics have not been content to dig in at the state, county and township level, and postpone continental synthesis to

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[1]See in particular Edmund S. Morgan, "The American Revolution: Revisions in Need of Revising," William and Mary Quarterly, 3d Ser., XIV (1957), 3-15.

[2]Charles A. Beard, An Economic Interpretation of the Constitution of the United States (New York, 1913), 19, 22, 24.

a later day.[3]

In the following pages, two counties, with a combined population during the 1780's of about 50,000 (a little less than 2 per cent of the population of the nation), have been used as laboratories wherein to test major interpretative hypotheses about the era of the American Revolution.

Dutchess County, on the east bank of the Hudson River half-way between New York City and Albany, entered the Revolution with a history of tenant unrest. It was the political home base of the aristocratic Livingston family that led the anti-British party in pre-Revolutionary New York. After 1776, Livingston leadership was increasingly rejected as the Revolution in Carl Becker's famous phrase, became a "struggle over who should rule at home" as well as a "struggle for home rule."[4] Dutchess County, accordingly is an appropriate vantage-point from which to view the democratic groundswell which gathered force as the Revolution dragged on.

If Dutchess County was a focal point for internal class conflict, politics in New York City centered on the demand, shared by all classes, for economic and political independence from Great Britain. To be sure, the city artisans favored more democracy than the mercantile upper class, and the two groups often

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[3]These remarks would appear to apply to Robert E. Brown's Charles Beard and the Constitution: A Critical Analysis of "An Economic Interpretation of the Constitution" (Princeton, 1956), to Forrest McDonald's We, The People: The Economic Origins of the Constitution (Chicago, 1958), and to Lee Benson's Turner and Beard: American Historical Writing Reconsidered (Glencoe, 1960).

[4]Carl L. Becker, The History of Political Parties in the Province of New York, 1760-1776 (Madison, 1909).

wrangled bitterly. But with the exception of the years 1783-1785, from 1776 to 1788 the merchants and mechanics of the city joined forces in support of independence and strong national government. Thus events in New York City tend to support Brown, McDonald and other scholars who view the Revolution as a national liberation movement in which internal conflicts were of small significance.[5]

In attempting to weigh the Becker-Beard hypothesis[6] against the contrasting revisionist outlook, to choose between the analysis suggested by Dutchess County and the opposing view which the New York City evidence supports, a side-glance at the revolutionary experience of other countries can be most helpful. For assessment of the American Revolution as a "real" revolution, or, alternatively, as "merely" a war for independence, presupposes a yardstick with which the American Revolution can be measured; and this yardstick or standard of comparison is, inevitably, the kind of revolutionary upheaval common in European history.[7] In this study, therefore, the reader will be asked to compare the punitive and confiscatory laws of the

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[5]See, in addition to the works of Brown and McDonald already cited, Robert E. Brown, Middle-Class Democracy and the Revolution in Massachusetts, 1691-1780 (Ithaca, 1955); Oscar and Mary F. Handlin, "Radicals and Conservatives in Massachusetts after Independence," New England Quarterly, XVII (1944), 343-355; Louis B. Hartz, The Liberal Tradition in America (New York, 1955).

[6]The link between Becker and Beard is the assumption that the contest of Hamiltonian and Jeffersonian, Federalist and Anti-Federalist, simply continued pre-Revolutionary party divisions; for a clear statement, see Becker, op. cit., 256, 274-275. For modern re-statements of the Becker view, see Elisha Douglass, Rebels and Democrats (Chapel Hill, 1955) and the work of Merrill Jensen, most recently "Democracy and the American Revolution," Huntington Library Quarterly, XX (1957), 321-342.

[7]See Richard B. Morris, "Class Struggle and the American Revolution," William and Mary Quarterly, 3d Ser., XIX (1962), 3-29.

French and English Revolutions with land confiscation in Dutchess County; to view the "new men" who rose to power in revolutionary Dutchess with their counterparts in seventeenth century London or Kent; and to set the social composition of the Jacobin Clubs side-by-side with that of the mechanics' movement in New York City.

The fruitfullness of this kind of comparison can be illustrated by an example: the problem of the relationship of political representatives to their constituents. In recent work on the English Civil War, painstaking research on the members of the Long Parliament has revealed almost no characteristic differences between Cavalier and Roundhead Members of Parliament.[8] Yet there can be no doubt that both in the countryside[9] and in the city[10] the strength of Parliament was concentrated in certain regions and socio-economic classes, and that of the King in others. Beyond question, the research design of the Namierite study of Parliament mistakenly assumed that the M.P. typified his constituency, as well as representing it.

Similarly, research on the United States Constitution is now bogged down in a sterile quarrel over the economic interests of individual members of the Constitutional Convention, and of the

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[8]See, especially, D. Brunton and D. H. Pennington, Members of the Long Parliament (London, 1954).

[9]See Christopher Hill, Puritanism and Revolution (London, 1958), 21-23, and the county studies there cited.

[10]See Valerie Pearl, London and the Outbreak of the Puritan Revolution (London, 1961), especially 240-246.

state ratifying conventions. We might have learned from the English mistake that the members of public assemblies are not, as Lee Benson well puts it, "the electorate in microcosm,"[11] so that to discover whether Alexander Hamilton or Melancton Smith owned more United States securities proves little about the people who elected them.

Recent work on Virginia shows the necessity of distinguishing between leaders and voters. In 1953, Robert Thomas demonstrated that "the leaders of both the Federalist and Anti-Federalist parties came from the same class - slaveowners, large landowners, land speculators, army officers and professional people, in short, the gentry." Thomas then went on: "The leaders of both parties were recruited from the same class, and the contest over ratification of the Federal Constitution in Virginia was essentially a struggle between competing groups within the aristocracy."[12] Now, this second sentence simply does not follow from the first. Two quite different communities might well have sent to the Virginia ratifying convention delegates similar in their economic and social standing. In 1955, Jackson Main argued that this had been the case. Surveying the economic characteristics of the county constituencies, Main found differences which were regularly expressed in the voting of their representatives.[13] Had Main's finding been fortified by the comparable English results, the controversy over Beard

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[11]Lee Benson, "A Critique of Beard and his Critics" (unpublished), 126-127.

[12]Robert E. Thomas, "The Virginia Convention of 1788," Journal of Southern History, XIX (1953), 72.

[13]Jackson T. Main, "Sections and Politics in Virginia, 1781-1787," William and Mary Quarterly, 3d Ser., XII (1955), 96-112.

could have been much illuminated long since.

The usefullness of a comparative approach extends still further. The worldwide uprising of colonial peoples since World War II, like the great revolutions of continental Europe, can open up new perspectives in the study of the American Revolution. Indeed, reflection on modern colonial revolutions suggests that the Beard-Becker and Brown-McDonald ways of viewing the American Revolution are not, perhaps, the only possibilities. A third perspective is indicated, wherein the American Revolution figures not as essentially similar to the French or Russian Revolutions, nor historically unique, but as the first of those partly-national, partly social-revolutionary colonial rebellions so common in our own day.

Thus the hitherto-puzzling nationalism of New York City mechanics in the Critical Period takes on fresh meaning when compared to a characteristic experience of the newly-independent nations today. This is the recognition that political independence does not solve all problems, that the old economic dependence on the "mother country" tends to reassert itself, and that a second struggle for economic freedom must be waged.

Again, a typical problem for the new nations of the present is that the achievement of independence leaves unresolved many social cleavages, which then express themselves as left- and right-wing tendencies within the nationalist movement. Just so the great failure of democracy in the American Revolution was its failure to destroy slavery; and much of subsequent American history can be viewed as the wages of that sin.

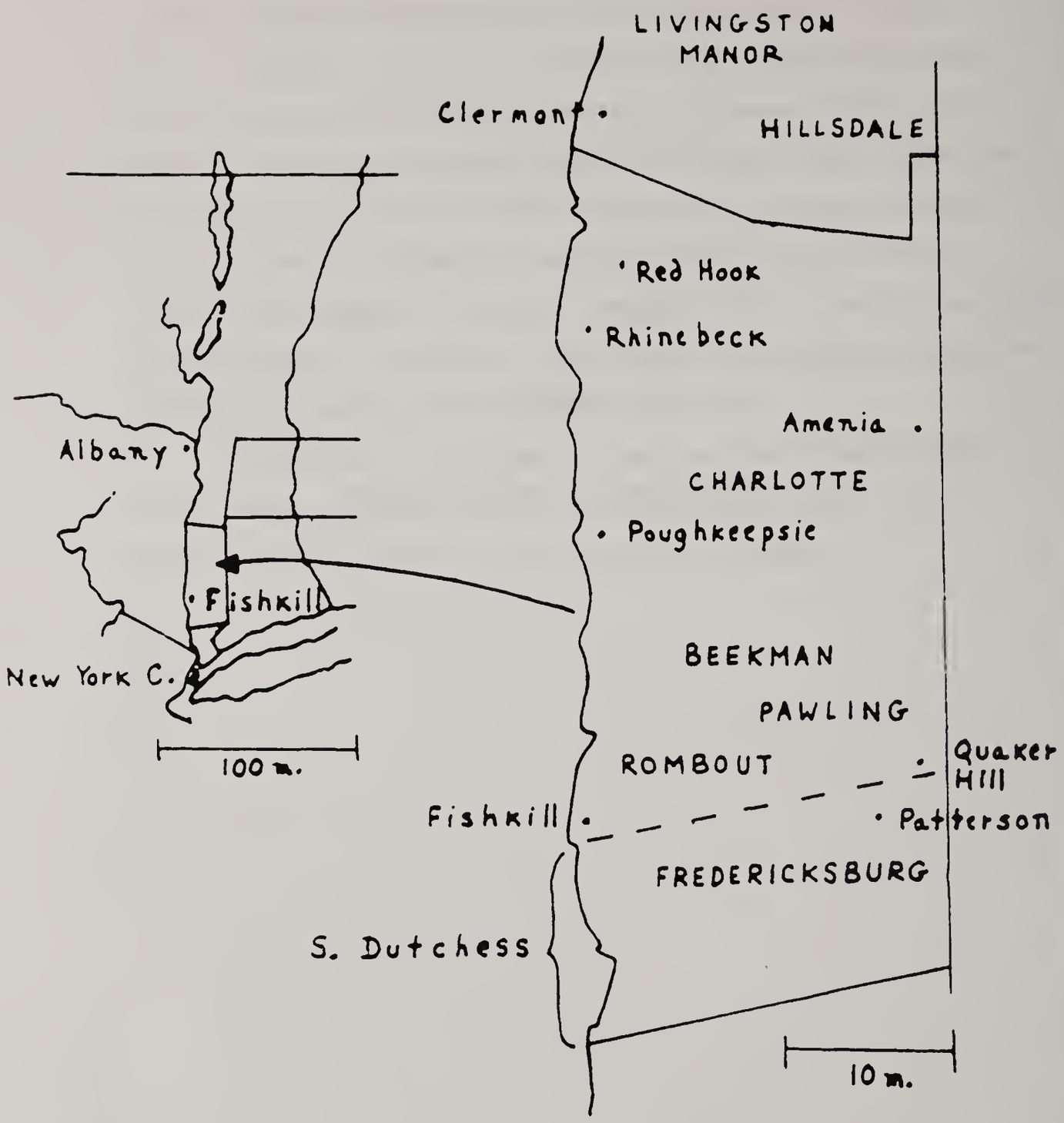
The story which follows is told in two parts. The demo-

cratic movement in revolutionary Dutchess came to a climax in the financial crisis of 1779-1780. The story of New York City nationalism unfolded only after the return of the city's Whigs from their seven-year exile in November 1783. Hence the two parts of the essay follow each other in roughly chronological order. In Part I, dealing primarily with Dutchess County, the emphasis is on the breakdown of the patriot coalition, during the war. In Part II, the stress falls rather on the formation of a nationalist alliance after 1783.

Throughout, the attempt is made to view through these local lenses the politics of all of New York state, and in a certain sense, indeed, of the nation as a whole.

PART I

THE TENANTS OF DUTCHESS COUNTY



DUTCHESS COUNTY

CHAPTER I

NEW GOVERNMENT, OLD CONFLICTS: 1777

"Another turn of the winch," commented the principal draftsman of the New York constitution of 1777, "would have cracked the cord" of confidence holding together the patriot party. Thus Carl L. Becker ended his classic study of New York politics in the early years of the American Revolution, The History of Political Parties in the Province of New York, 1760-1776.

The spring of 1777 was a time tense with more than the strains of constitution-making. This was the year when the British almost cut America in two by conquering the whole of New York state. In September 1776, Washington's army had abandoned New York City, more than half the city population joining in flight. Of Becker's gallery of radical leaders, Isaac Sears took up privateering in Boston, John Lamb lost an eye before Quebec, Marinus Willett would officer the repulse of a critical British and Iroquois sortie along the Mohawk. The autumn months as Washington retreated across New Jersey were the times that tried mens' souls. The revolutionary government of New York fled from place to place, dropping and resuming work on the new constitution, mixing debate on the secret ballot and the governor's veto with more mundane but equally difficult decisions about stubborn militiamen, Tory

spies, and the price of flour. In March 1777, as the legislators put final touches on the new instrument of government, General Burgoyne was preparing a drive south from Canada; by July, Fort Ticonderoga would be in British hands and Philip Schuyler in brooding retirement under a cloud of disgrace. General Howe was moving back across the Jerseys toward New York City. Everyone expected that when he arrived there he would move north to join Burgoyne. Somewhere near Albany, Howe's army, a first arm joining the second arm of the British pincers, would seek to crush the independent state of New York: an area, even before the British campaign, consisting only of two strips of land along both sides of the Hudson between Fishkill (now Beacon) and Albany. For a year after April 1775 the war had centered in New England; after 1777, the war would turn to the south; this was the year in which the stage would be the Middle Colonies, and above all, New York.

Forming a new government set the seal on the state's decision for independence. Only then did the historian William Smith, under house arrest at Livingston Manor and in communication with friends on both sides, lose hope for a conciliation.

It was a team of rather unnatural comrades who thus put their hands together to the revolutionary plough. Aristocratic conservatives, long used to managing the popular party in state politics, planned the selection of proper persons for the leading offices of government. Plebeian democrats regarded the democratic features of the new constitution as concessions wrung from doubtful allies, and its conservative features as

proof of the necessity for a final reckoning with the "great families." And as the two sets of leaders squabbled and plotted, a pro-Tory tenant rising on the estate of the clan Livingston underscored the political reality of a third group: the inarticulate masses of the countryside. These were the three groups whose strength and desires would shape New York's internal politics in the Revolutionary War.

The Conservative Leaders

The New York constitution, wrote William Duer to John Jay in May 1777, was "possibly as good as the Temper of the Times would admit of." He continued: "I assure you I am not without my Fears concerning the Choice will be made of those who are to set the Machine in Motion. Our all depends on it."[1] Later in 1777, reflecting wryly on those who had been chosen, Gouverneur Morris likewise turned to a mechanical metaphor. "I say," Morris wrote to Robert R. Livingston, "watch the Legislature. The more I reflect the more I am convinced that they will want some friendly Care and Attention . . . . The Machine [is] unwieldy it will require much oiling winding and the like before it works well for the State."[2]

Conservatives like Duer and Morris still thought in 1777 that the Revolutionary state government was a machine which they and their friends, like the God of deism, could construct, wind (had not Jay also spoken of winding the cord of government

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[1]William Duer to John Jay, May 28, 1777, Jay Papers, Columbia U.

[2]Gouverneur Morris to Robert R. Livingston, Dec. 1, 1777, Robert R. Livingston Papers, New York Historical Society [hereafter N.-Y.H.S.].

with a winch?), oil, and set in motion. So long as this confidence lasted, the conservatives of the American Revolution were by no means the centralizing nationalists which they later became. "I am resolved," Edward Rutledge was writing to John Jay, "to vest the Congress with no more Power than that which is absolutely necessary, and to use a familiar Expression, to keep the Staff in our own Hands."[3]

It was indeed a sense of naked strength nurtured by long handling of the staff of power, which gave conservatives in the early days of the Revolution the confidence that they could control the new state governments. In unwitting anticipation of Thomas Jefferson's testamentary declaration about the masses of mankind, Morris wrote to Jay in 1776: "How do you expect that your unruly Horses [he was referring to Jay's work in drafting the New York constitution] can be kept in Order by a Whip and a Spur. They want the Reins."[4] Spirits kin to Morris, like James Duane, were already looking forward to the exercise of power when the war was won. "We must think in Time," Duane wrote to the Lord of Livingston Manor, "of the means of Assuring the Reins of Government when these Commotions shall subside."[5]

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[3]Edward Rutledge to John Jay, June 29, 1776, Correspondence and Public Papers of John Jay, ed. Henry P. Johnston (New York, 1890), I, 67-68.

[4]Gouverneur Morris to John Jay, Aug. 3, 1776, Jay Papers.

[5]James Duane to Robert Livingston, June 7, 1775, Livingston-Redmond Papers, Franklin D. Roosevelt Library, Hyde Park, N. Y.

These great landlords, who used the word "peasant" and the expression, "the lower orders," in their everyday conversation, hardly expected to let power slip from their grasp by the decision of a mere election. Contested elections were, to begin with, a rarity and an annoyance. As the first election under the new New York constitution drew near, Duer wrote to Philip Schuyler: "I dread the consequences which may too probably ensue from that sourness of mind which is the natural result of contested elections."[7] And on election eve, Schuyler, himself the leading candidate for governor, declared: "They may choose who they will I will command them all."[8]

The victory, in this June 1777 election, of George Clinton rather than Philip Schuyler as governor of the state, was a blow to conservative control not fully recouped until the 1790's, and then only temporarily. "His family & Connections," observed Schuyler in a famous letter, "do not Intitle him to so distinguished a predominance."[9] Yet this quotation does only partial justice to the temper of the conservative

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[6]See, e.g., Philip Schuyler to Gouverneur Morris, Feb. 3, 1778, Gouverneur Morris Papers, Columbia U.; Gouverneur Morris to Robert R. Livingston, Sept. 22, 1778, Robert R. Livingston Papers.

[7]William Duer to Philip Schuyler, June 19, 1777, Schuyler Papers, New York Public Library [hereafter N.Y.P.L.]. For an older instance, see Abraham Ten Broeck to James Duane, Feb. 22, 1768, Duane Papers, N.-Y.H.S.: "The Patroon and other of my Friends have Prevailed on me & I now Stand a Candidate for the manor . . . . Every Body is averse to a Poll."

[8]<u>Historical Memoirs from 12 July 1776 to 25 July 1778 of William Smith</u>, ed. William H. W. Sabine (New York, 1958), 151.

[9]Philip Schuyler to John Jay, July 14, 1777, <u>Correspondence and Public Papers of Jay</u>, I, 147.

leaders. They continued to cooperate, albeit sometimes grudgingly, with the Clintons and the Yates thrown to the surface of politics by the swirling energies of popular feeling; together the two groups of leaders ran for six years a revolutionary war. In a later sentence of this same letter, Schuyler pledged to Clinton his loyal support in the winning of the war.

Particularly interesting among the conservative leaders are Robert R. Livingston and Alexander Hamilton, whose attitudes to the New York constitution of 1777 have been revealed by the recently-opened Robert R. Livingston Papers. Hamilton, who as 'Publius' in 1788 would forever identify his name with contempt for democracy and the contrivance of checks and balances, penned in 1777 the following astonishing sentences on the new constitution: 'That instability is inherent in the nature of popular governments, I think very disputable; unstable democracy, is an epithet frequently in the mouths of politicians; but I believe that from a strict examination of the matter, from the records of history, it will be found that the fluctuation of governments in which the popular principle has borne a considerable sway, has proceeded from its being compounded with other principles; - and from its being made to operate in an improper channel.'[10] How are we to explain Hamilton's reversal during the subsequent decade? As early as 1780 and 1781, Hamilton would be at the center of the small

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[10]Alexander Hamilton to Gouverneur Morris, May 19, 1777, The Papers of Alexander Hamilton, ed. Harold C. Syrett (New York, 1961-), I, 254-256.

group of conservatives laboring to strengthen the national government.

Robert R. Livingston would attract attention in this study if only because he was the principal landlord of Dutchess County, and the bête noir of the democratic movement in that county. But he was also to prove in the long run the most flexible and liberal of the state's conservative leaders, espousing Republicanism in the 1790's when almost all men of his social and economic position were Federalists. Here, too, is a change in political position which has baffled later students. Like Schuyler a great landlord and county magnate; like Jay (his bosom friend), Duane and Hamilton, a lawyer; like Duer a large entrepreneur in the produce of his estate; like Morris a man of a speculative turn of mind - there was nothing in Livingston's background or personality to explain the later divergence of his views from the views of his former associates. Livingstons and Delanceys had contested for political leadership throughout the eighteenth century; when in 1784 independence was won and Robert R. Livingston acquired Oliver Delancey's "large square" pew at St. Paul's Church, New York City,[11] one might have thought that Livingston's Revolutionary objectives had been fulfilled.

Yet as early as 1777 Livingston differed from his friends in the little knot of New York conservatives at least in the

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[11]Thomas Tillotson to Robert R. Livingston, June 15, 1784, Robert R. Livingston Papers.

choice of metaphors. Writing to Duer in the interval between the promulgation of the new constitution and the first elections under it, Livingston stated that Schuyler rather than himself would be the conservative candidate for governor, as his own name was too much disliked by the people. This decision "to change our battery" Livingston justified by a metaphor which likened the voice of the people not merely to the working parts of a pre-constructed machine, but to a stream, whose torrent wiser heads must strive to curb and direct. The substitution of Schuyler, Livingston told Duer, showed "the propriety of swimming with a stream, which it is impossible to stem." He went on to contrast the position of the New York conservatives with those in Pennsylvania, recently chagrined by the enactment of an ultra-democratic constitution. "Wilson [James Wilson, leader of the Pennsylvania conservatives] will remember," Livingston wrote, "that I long ago advised that they shd. yield to the torrent if they hoped to direct its course - you know that nothing but well timed delays, indefatigable industry, & a minute attention to every favourable circumstance could have prevented our being exactly in their situation."[12]

Were these men democrats? That depends on how one defines the term. Conservative New Yorkers would have rejected the label: even Hamilton, more liberal in 1777 than his colleagues, believed that "when the deliberative or judicial powers are vested wholly or partly in the collective body of

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[12]Robert R. Livingston to William Duer, June 12, 1777, Robert R. Livingston Papers.

the people, you must expect error, confusion and instability." Here at least Hamilton was consistent with his later thought, in opposing the direct participation of the people at large in government. Yet these men were, unlike their fellow-aristocrats who became Tories, republicans. "A representative democracy," continued Hamilton, "where the right of election is well secured and regulated & the exercise of the legislative, executive and judiciary authorities, is vested in select persons, chosen really and not nominally by the people, will in my opinion be most likely to be happy, regular and durable."[13] Certainly the conservative Whigs were too democratic for their friend William Smith. "These People," Smith confided to his diary, "have had no Foresight of the natural Consequences of a republican Spirit in a poor Country, where Gentlemen of Fortune are but few . . . . They are losing their Significance every Day. They will be happy if they can save their Estates."[14]

The Radical Leaders

The election campaign of 1777 brought into the open a long-standing divergence of temper and aspiration between the conservative and radical factions of the New York Whig leadership. Clinton, the successful candidate for governor, was not a radical but a moderate, standing between Schuyler on the one hand, and the old Son of Liberty, John Morin Scott, on the

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[13] Alexander Hamilton to Gouverneur Morris, May 19, 1777, Papers of Hamilton, I, 255.

[14] William Smith, Historical Memoirs from 1776 to 1778, 280, 306.

other. It was Scott who, in the words of William Duer, "rail[ed] at an Aristocratic Faction which he pretends has formed and organized the new government," and blamed his failure in obtaining a leading office on Duer, Duane, Robert R. Livingston, Philip Livingston, and Morris, "whom he describes as a faction & tends [sic] to a family interest."[15] After his defeat in the gubernatorial election, Scott led in the Senate the campaign (to be described later) for the radical program of price-fixing and land-confiscation.

Such a division of the patriot leadership as took place in New York was not, of course, peculiar to that state, nor indeed to the American Revolution. The process has been well described by Elisha Douglass. "When," he writes, "any substantial portion of a population rises against lawful authority, its own internal conflicts are only temporarily shelved in the pursuit of a common objective. The various groups throwing their weight against existing government usually have different plans for the future; only the commonly shared oppression induces them to subordinate individual objectives for the main task at hand."[16] William Smith, watching the internal struggles of the Whigs with considerable satisfaction, succinctly observed of New York that there was "a Severance between the Popular & the landed Interest and they will mutually pull each other down."[17] This severance, already

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[15]William Duer to Philip Schuyler, two letters dated June 19, 1777, Schuyler Papers, N.Y.P.L.

[16]Elisha Douglass, Rebels and Democrats, 1-2.

[17]William Smith, Historical Memoirs from 1776 to 1778, 306.

marked in 1777-1778, would become still sharper in the financial crisis of 1779-1780.

Who were the radical leaders? What made them radical? Their outstanding common trait (as will appear in our discussion of the democrats of Dutchess) was that they were nouveau riche: self-made men, social climbers, moderately wealthy but not so far from humble origins as to forget them. Melancton Smith hit them off aptly in his statement, at the New York ratifying convention of 1788, that they were men who felt the inconvenience of paying small sums. They were men who before 1776 had been fervent Whigs; who after 1783 became Anti-Federalists; and who during the war took the lead in pressing for popular regulation of private enterprise, and the confiscation and sale of Tory property. Gouverneur Morris (an ardent champion of free enterprise until his relative Robert became Financier) accurately noted the connection between new laws of this kind, and the new men who administered them. "It was hardly possible to embitter [the] bitter Draught these Laws had prepared," wrote Morris, "yet it was effected by the manner of enforcing them. Men of old approved Character who respected their Neighbours and were respected would not descend to it. The Executors of these new Laws therefore were Men who like the Laws themselves were new."[18]

Such a new man was Abraham Yates of Albany, New York's principal Anti-Federalist pamphleteer in the 1780's. A

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[18]Fragment, n.d., Gouverneur Morris Papers, Columbia U.

lawyer, member of an old Albany burgher family, Yates filled a variety of minor local offices until the Revolution shot him suddenly into prominence as chairman of the Albany Committee, member of the committee which drafted the 1777 constitution, and state Senator.[19] Philip Schuyler, leading aristocrat of that aristocratic county, described Yates' rise in a letter to Gouverneur Morris: "Abraham Yates, I mean the Honorable Abraham Yates Esq. one of the Senate of this State, a member of the Council of Appointment - one of the Committee of the City & County of Albany, Recorder of the City of Albany - & Postmaster General, late Cobler of Laws & Old Shoes, is to be put in Nomination for Lieut. Governor."[20] The tone of this letter tells one more about what made Yates radical, than could a volume of statistics.[21]

Yates himself viewed his role as that of spokesman for the middle orders: the substantial farmers, or as they liked to call themselves, the "yeomen." In Yates' view, "the safety of the rights and liberties depended upon the Middle sort of the people . . . the yeomanry of the country . . . the husband-men and mechanics." "The very Rich, and very poor,"

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[19]See Carol Spiegelberg, "Abraham Yates" (unpublished Master's essay, Columbia U., 1960).

[20]Philip Schuyler to Gouverneur Morris, Feb. 3, 1778, Gouverneur Morris Papers, Columbia U.

[21]The New York conservatives had a particular dislike for Yates. See Thomas Tillotson to Robert R. Livingston, May 1784, Robert R. Livingston Papers, wherein he is described as an "old booby"; and Alexander Hamilton to Robert Morris, Aug. 13, 1782, Alexander Hamilton Papers, Columbia U.

Yates thought, "were dangerous and ought to be guarded against . . . . Give the People at large time to consider - as their object is right, they generally determine so; and when they go wrong, it is owing to the over-rich and over-poor who play into each others' hands . . . . The common People," he concluded with unwonted eloquence, "like common sense generally hold the balance between the two extremes."[22] Here again, as with Jay, Morris and Duer, was a mechanical metaphor of government too static and too brittle for times of rapid change.

Yates' views on the place in politics of the "middling" sort of people were neither unique nor arbitrary: they were typical of the entire group of radical leaders. Their views sprang not from personal whim or scholarship, but from the generalized social experience of New York's middle-class in its generations-long struggle with the provincial aristocracy. Yates' own writing is permeated by a town burgher's resentment of the nearby feudal lord. Several of his unpublished manuscripts explore the early history of Albany County, always from the standpoint of Albany city _vis a vis_ the usurping patroon. "Patroon," for Yates, was "a term used in various acceptations though all reducible to the relation of a protector, or guardian . . . their Behavior no more applicable than Satan when he appeared in the Garden as an Angel of light."

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[22] "Speeches to Delegates in Congress, 1786," Abraham Yates Papers, N.Y.P.L.

Yates expanded this key definition into several fragmentary histories of the patroon's theft of the land of the original Albany settlers. "The fact seems to be," says Yates, "that the States General and their West India Company under the name of patroons . . . were watching every opportunity to grasp at tracts of country to which they had not an equitable right to one hundred perhaps not to one thousand part." The original occupants were forced to "set down with Common Fair" so that the landlords might "git the Jurisdiction out of their hands"; as for historians who told a different story, Yates accused them of deliberately concealing the truth as "tools of these speculators." One Yates manuscript begins by citing a newspaper notice wherein Albany residents are warned against taking wood without permission from "the Commons of Stephen van Renselaer." Then follow fifty closely-scribbled pages in which the furious burgher argues that even the Indians permitted general access to the timberlands, and that the citizens of Albany "since the Original Settlement of the City about 1612 a period of near two Centuries peaceably used and exercised a right of commons."[23] Those historians who deny the existence of an American feudalism and the comparability of European and American society, have perhaps not consulted these manuscripts.[24]

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[23]"Historical account of the colony of Rensselaerswyck," "Notes on early history of Albany," Yates Papers.

[24]On this point, see Richard B. Morris, "Class Struggle and the American Revolution," 8-17, in contrast especially to Louis Hartz, The Liberal Tradition in America, 67-86.

Yates' conception of the constitution of 1777 followed rigorously from his primal sense of social conflict between burgher and patroon. He saw "a similarity in the revolutions of 1688 [in England] and that of 1776 for there were those of the wealthy then as well as now that stepped forth with diffidence until they saw the way prepared by the Common People and even then they made themselves conspicuous by their envy, quarreling with the commons for not surrendering every office of profit or honor to them." The constitution of 1777 was regarded by Yates as a set of concessions by the conservatives. "The yeomanry of the country were wanted to fight and the militia duty which equally affected the poor and the rich . . . upon the principle of personal service was become very burthensome to the yeomanry [;] and if the rich intended the other should continue to fight for there Estates it was Necessary to show that they did not make any difference but w[h]ere it was unavoidable."[25] Hence, as Yates saw it, the lowering of the property requirement for Assembly voters from a £40 freehold to a £20 freehold or 40s. leasehold; hence the provision for a secret ballot in the election of Governor and Senators; hence the popular election of the Governor - hence, in a word, those provisions which made the 1777 constitution, if less democratic than Pennsylvania's or than the demands of the New York radicals,[26] much less con-

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[25]"Notes on the Early History of New York," Yates Papers.

[26]For early drafts of the constitution which included universal manhood suffrage, the secret ballot in all elections, and popular election of all local officers, see

servative than the instrument later adopted by Massachusetts.

The radical leadership was not so coherent a group as its conservative counterpart. Schuyler, Hamilton, the Livingstons, Duane, Jay, Duer, Morris were bound together by a dense web of over-lapping family and business relationships. Thus Hamilton married into the Schuyler family, Duane and Jay into the "Manor" branch of the Livingstons. On the county level, as will become plain in our study of Dutchess County, the radicals also formed such tight cliques, or in the eighteenth-century phrase, "interests." But just because the radicals were men of less prominence, they tended to move in the circle of county rather than state-wide affairs. Their state-wide organization, therefore, was less solid and coherent than that of the conservatives, who, for example, made group decisions as to which of their number should serve in a given year in the state legislature, and which should go to the Continental Congress. Indeed there are several instances where future radical leaders first appear on the historical record as surveyors, rent-collectors and local political managers for the Schuylers and Duanes, managing the county business of the great men while the latter attended to more lofty concerns.[27]

This lack of cohesion in the radical party was the cause of its defeat at the New York ratifying convention of

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William Smith, Historical Memoirs from 1776 to 1778, 18-21, 36, and Yates Papers, Box 2.

[27]See, e.g., the correspondence of John Lansing and Philip Schuyler for the war years, Schuyler Papers, N.Y.P.L.

1788, where a two-to-one numerical majority crumbled before careful Federalist exploitation of its various internal fissures. The patronage dispensed by Governor Clinton was a bond among the radicals; their pervasive sense of class antagonism toward New York's aristocrats was always their principal, if implicit, party program;[28] but they were simply no match for the superb sense of history and purpose possessed by those brilliant patricians-on-the defensive, the New York conservatives.

Were the radical leaders democrats? That would be an easy question to answer could we rely on their own statements, which uniformly portrayed their cause as a struggle of "democracy" against "aristocracy." Nor, with all due skepticism, can it be doubted that they wished to end the dominion of the gilded families who before 1777, bestrode like a colossus the little world of New York politics. As George Clinton once put it to Rufus King, they wished to give the people something more than a choice between two groups of aristocrats;[29] what was true for George Clinton held a fortiori for more consistent antagonists of wealth and privilege, like Yates and Melancton Smith. The crucial question is whether, in their effort to substitute "the politics of opportunity" (in George Dangerfield's fine phrase) for "the politics of privilege,"[30] they

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[28] See George Dangerfield, Chancellor Robert R. Livingston of New York, 1746-1813 (New York, 1960), 222-233.

[29] Life and Correspondence of Rufus King, ed. Charles King (New York, 1894-1900), I, 354-356.

[30] Dangerfield, Chancellor Livingston, 88. On Anti-

truly represented the small farmers and artisans of the state, or rather made use of the lower classes in furtherance of their personal ambitions? This question can only be answered by an exhaustive inquiry into the year-to-year political activity of the lower classes and their would-be leaders.

One thing, however, can be stated with certitude at the outset. Throughout the Revolutionary Era, the New York radical leaders joined hands with the conservatives in crushing all efforts of the lower classes to obtain their own ends for themselves by violence. Whether in the tenant rebellion of 1766, when John Morin Scott sat on the court which condemned to death the rebellious tenants' leader, William Prendergast, or in Shays' Rebellion of 1787-1788, when George Clinton and Marinus Willett marched at the head of the New York militia to turn back insurgents fleeing for safety toward the New York border, the New York radicals, with all their inconsistencies, were consistent in this.

Such also was their attitude when in May 1777, just as the state legislature wound up its work on the new constitution, the tenants of Livingston Manor rose in arms to support the advancing British army.

The Tenant Farmers

Livingston Manor lay just north of Dutchess County on the east bank of the Hudson River, in the present Columbia

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Federalists as democrats, contrast Cecilia Kenyon, "Men of Little Faith: The Anti-Federalists on the Nature of Representative Government," William and Mary Quarterly, 3d Ser., XII (1955), 3-43, with Jackson T. Main, The Antifederalists (Chapel Hill, 1961).

County. Tenant unrest on its 160,000 acres was two generations old in 1777. In 1711, Governor Robert Hunter called on 130 soldiers to overawe Palatine German tenants in that part of the manor known as the "East Camp."[31] From the middle of the century to the outbreak of Revolution, conflict on the manor was continuous and often bloody. In the early 1750's, manor tenants near the Massachusetts border (encouraged by Massachusetts land speculators) refused to pay rents, petitioned the Massachusetts legislature for title under that colony, and resisted with arms the attempts of the third Lord of the Manor to eject them.[32] In 1762, the latter wrote his son-in-law James Duane about "the Club who have for five years plagued me in the back part of my Manor." They are all, continued Robert Livingston, Jr.

> a pack of Vagabonds who are fled from their Creditors & gott together in the mountains & want my flatt Lands to Settle on, but Chiefly to Sell & pay their debts, for they cannot live any longer in the mountain as they have nothing left to support on.[33]

Discontent among the tenants fed on the quasi-feudal nature of the manor leases, which throughout the Revolutionary

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[31] Irving Mark, Agrarian Conflicts in Colonial New York, 1711-1755 (New York, 1940), 111-112.

[32] Ibid., 115 ff.; Oscar Handlin, "The Eastern Frontier of New York," New York History, XVIII (1937), 50-75; correspondence of Robert Livingston, Jr., with his Massachusetts agent Jacob Wendell, 1751-1755, Livingston Papers, Museum of the City of New York.

[33] Robert Livingston, Jr., to James Duane, Feb. 15, 1762, Duane Papers. For other references to the "club" or "combination" of Livingston Manor tenants, see Documentary History of the State of New York, ed. E. B. O'Callaghan (Albany, 1851), III, 826; Edward B. Livingston, The Livingstons of Livingston Manor (New York, 1910), 314-315.

Era required the tenant to render such perquisites as two days of work (with team and wagon) and four 'fat Hens' for the Lord each year, not to speak of the obligation to grind his wheat and saw his boards at the Lord's mills;[34] on the simple poverty of families living on 'molasses, rice and limited spices' available to tenants at the manor store, while the Lord's table groaned under 'sweet oil, raisins, currants, cloves, cinammon, cheeses, oysters, mint waters, figs, olives, and capers';[35] and on the incorrigible habit of the great landlords to settle their land disputes by ejecting tenants in order to create test cases in court. Such ejections were the immediate occasion for the tenant rising of 1766, when on Livingston Manor (wrote the British officer John Montresor) 'some hundreds of Tenants are . . . turned Levellers and are in arms to disposses some and maintain others in their own [farms], without rent or taxation'; two hundred of these tenants actually marching 'to murther the Lord of the Manor and level his house, unless he would sign leases for 'em agreeable to their form,' until dispersed by Walter Livingston (one of the three members of the Treasury Board of the United States in the 1780's) at the head of forty armed men.[36]

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[34]For a series of manor leases in the 1750's, 1760's and 1790's, see Joan Gordon, 'Kinship and Class: The Livingstons of New York' (unpublished Ph.D. thesis, Columbia U., 1959), 133; Robert R. Livingston, Sr., to Robert R. Livingston, Jr., Mar. 12, 1762, Robert R. Livingston Papers; Dangerfield, Chancellor Livingston, 190.

[35]Joan Gordon, 'Kinship and Class,' 148.

[36]Quoted in Irving Mark, Agrarian Conflicts, 140, 142-143.

Historians have failed to realize that the discontent of Livingston Manor (as of Dutchess County) tenants continued right into the Revolutionary years, until it exploded in the uprising of 1777.[37]

Signs of an approaching storm were in evidence well before May, 1777. In 1775, Robert R. Livingston (whose Clermont estate was the southern or "lower" portion of Livingston Manor) wrote to John Jay:

> I told you some time before I left you that many of our Tenants here refused to sign the association, & resolved to stand by the King as they called it, in hopes that if he succeeded they should have their Lands. Since troops have been raised in the province & two of my brothers have got commissions they have been frighted & changed their battery. In order to excuse themselves they assert that they can not engage in the controversy since as their leases [are] not for lives their families must want when they are killed . . . . To deprive them of all excuse, my father has declared to them that a new lease shall be given to the family of every man who is killed in the service & Mrs. Livingston had come to the same resolution [Margaret Beekman Livingston, mother of Robert R. Livingston, who owned lands in her own name]. Notwithstanding which the scoundrels have as we are informed sent in a petition to the Congress replete with falsehoods & charges injurious to the memory of my Grandfather & Mrs. Livingston.

His father (Robert R. Livingston, Sr., who died later that year), continued the future Chancellor, had offered to pay three-fold if a representative of the Provincial Congress upheld the tenants in any of their charges. Jay must be sure to rebut the tenants' petition when it arrived, for, Livingston concluded, the tenants "will if they meet with

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[37]The leading authority says, "to what extent anti-rent agitation continued during the Revolution is difficult to say" (Mark, Agrarian Conflicts, 15 n.).

the least encouragement throw the whole country into confusion."[38]

By October 1776, a tenant rising on the manor was explicitly feared. The disaffected, wrote the chairman of the manor Committee to Peter R. Livingston (heir to the manor and President of the Provincial Congress), were increasing daily; many were hiding in the woods; the militia was not reliable.[39] A week later William Smith noted in his diary that the Kinderhook, Claverack and manor regiment had been ordered to march against Burgoyne. Henry Livingston, Lieutenant Colonel of the regiment, would disobey the order, Smith wrote, on the advice of Robert R. Livingston, "it being the Opinion of both, that not above 50 will move . . . & that there is Danger of a Rising if the Whigs go . . . agt their Families and especially agt the Members of the Committee."[40]

What match finally ignited this tinder is impossible to say. One observer thought it was the inquisitiveness of the Claverack militia; another believed it was the folly of certain officers in picking out men for the Revolutionary army, rather than drawing lots.[41] Possibly hostilities began with

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[38]Robert R. Livingston to John Jay, July 17, 1775, Jay Papers.

[39]Samuel Ten Broeck to Peter R. Livingston, Oct. 9 and 10, 1776, Journals of the Provincial Congress, Provincial Convention, Committee of Safety and Council of Safety of the State of New-York (Albany, 1842), II, 319, 320.

[40]William Smith, Historical Memoirs from 1776 to 1778, 26.

[41]Ibid., 132. William Smith's accuracy has been questioned. In this case, the major outlines of his story are completely corroborated by the Journals of the New York Provincial Convention.

an incident reported in the Tory press of New York City, a brush between forty residents of the manor and patriot soldiers conducting prisoners at the order of the Albany Committee. According to these accounts, two officers and three privates of the patriot soldiery were killed in the encounter. The prisoners were freed by the manor Loyalists, but recaptured the following day.[42]

Whatever the immediate cause, it is certain that the anticipated arrival of British troops had prompted the manor tenants to plan a rising in support of the redcoats. William Smith, observing the event with mixed sympathies from his local vantage-point, and the three-man commission appointed by the Provincial Convention (Robert R. Livingston, Zephaniah Platt, and Mathew Cantine), gave almost identical accounts of the essence of the plot. "Almost every body in the upper manor," reported the latter to the Convention, "particularly the eastern part of it, appears to have engaged with the enemy, first by taking an oath of secrecy, and then an oath of allegiance to the King of Great Britain; it appears to have been their design to have waited till the enemy came up, when they were to rise and take the whigs prisoners."[43] William Smith recorded in his diary: "They were to expect the Regular Army up by the first Inst. There are 3 called their Captains

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[42] The Royal American Gazette, May 15, 1777; The New-York Gazette; and the Weekly Mercury, May 19, 1777.

[43] Robert R. Livingston, Zephaniah Platt and Mathew Cantine to the Provincial Convention, May 8, 1777, Journals of the Provincial Congress, I, 918-19.

none of whom [are] yet taken. One Euston [Hughston; later hanged] was to be their Colo. He was a Half pay Officer & is now in Jail at Albany. The Sworn were to have Pay from the Time of the Junction [with the British army] & each 200 Acres of Land."[44] Many of the manor tenants had departed, slipping north through the woods in an attempt to join the British;[45] of those who remained, almost all were privy to the plot, and they were joined by fifty more fighting men drawn from "Inhabitants Mechanics and Inmates & the Camp People" outside the manor boundaries. The Convention commissioners reported the number of insurrectionists as "infinitely greater than we could have conceived."[46]

As the British army drew near, "the sworn" borrowed powder and shot from their unsuspecting neighbors, on pretense of deer-hunting; seven hundred pounds of powder were stolen from John Livingston's powder mill; and the lead was removed from the nets strung out across the Hudson to bar the

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[44]William Smith, Historical Memoirs from 1776 to 1778, 130.

[45]About the time of the insurrection, the New York City press reported a conflict "east of Albany" between 100 Loyalists attempting to reach the British army, and 400 patriot soldiers, in which eleven men were killed (The New-York Gazette: and the Weekly Mercury, May 19, 1777). See also William Smith, op. cit., 225, 267, 366.

[46]The conclusion that the rising was almost unanimously supported by the tenants is derived from a comparison of William Smith's estimate of the number of rioters (460), and the number of farms (approximately 500) and militiamen (425) which the manor contained about 1770 (William Smith, Historical Memoirs from 1776 to 1778, 132; Joan Gordon, "Kinship and Class," 133).

passage of British ships.[47] Tragically for the tenants, however, fighting began when the British were still too far distant to be of aid.

On May 3, both the Provincial Convention and William Smith learned of the outbreak of fighting. Robert R. Livingston and his two assistants were directed to proceed to the scene with 200 Dutchess County militiamen; they were to call on Generals Alexander McDougall and George Clinton for more help if needed. The Claverack militia had already gone into action at the western end of the manor, near the Hudson, and New England troops at the eastern end, along the New York-Connecticut line.[48]

By May 5, it was apparent to the tenants that British troops were not in evidence. Already two men had been killed and three wounded. 'Certain of the Tenants in Arms' therefore approached Henry, Peter and Walter Livingston, three sons of the Lord of the Manor, offering to give up their weapons if they would be left undisturbed on their farms. The Convention commission, reads Smith's entry for May 5, 'would not hear of this Proposal & will tomorrow scour the Manor unless they will give up their Chiefs with Proofs to hang them.'[49]

On May 7, Robert R. Renselaer of Claverack and John Livingston advanced into the eastern manor at the head of 100

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[47]William Smith, op. cit., 195; The New-York Gazette: and the Weekly Mercury, May 19, 1777.

[48]Journals of the Provincial Congress, I, 909, 910; William Smith, op. cit., 127, 128.

[49]William Smith, Historical Memoirs from 1776 to 1778, 127, 128, 133-134.

soldiers, with orders "to fire upon every Man fleeing before them." That same day, Robert R. Livingston wrote from the other end of the estate that the insurgents were dispersed.[50] By May 10 everything was over.

There remained the delicate question of more than three hundred prisoners. They were sent for safety to Kingston, Albany and several points in Dutchess County. Yet prison space was still inadequate, nor could the three commissioners begin to sift carefully each case: "though the harvest will be large," John Morin Scott wrote them, "the laborers are few."[51] Beyond these mechanical problems was (in Smith's words) the "Fear of starving their Families & exasperating the Multitude."

In the end, one of every ten prisoners was retained as a hostage (the same system was applied to those who had escaped into the woods, as they were gradually captured); those who seemed "penitent and ignorant" were dismissed after taking an oath of loyalty; and two, Hughston and Arnaut Vielle, were tried and executed.[52]

The rising afforded a sudden, and to the Livingstons, terrifying glimpse, of the decay of aristocratic authority in revolutionary New York. A distraught aunt summoned Philip Livingston home from the Continental Congress at Philadelphia; Peter Livingston made up packets of provisions should sudden

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[50] Ibid., 129, 130; Robert R. Livingston to Peter R. Livingston, May 7, 1777, Journals of the Provincial Congress, II, 475.

[51] John Morin Scott to the three commissioners, May 5, 1777, ibid., I, 912.

[52] Mathew Cantine and Zephaniah Platt to Peter R. Livingston, May 10, 1777, ibid., II, 449; William Smith, op. cit., 136, 143, 165.

flight prove necessary; their father, the Lord of the Manor, was advised by his sons not to leave his house. Visiting their home on May 12 and 13, William Smith found the Lord of the Manor distraught and wildly inconsistent on every topic but one: "his Execrations upon his Tenants." "His Fears," Smith continued,

> have driven him to Temerity. He exclaimed agt. setting up any Governt. at this Juncture. He could formerly carry 400 votes to an Election, but by our new Govt was nothing, nay that his Tenants were agt. him. . . . He says his Tenants owe him £10,000. He can't bare the Thought that his Indulgences shew that he has no Influence upon them, much less that they are in such a Temper as to prevent him from riding about his own Manor; and seeing no safety but in their Expulsion hints his wishes that they may all be hanged and their children starved.[53]

The third Lord did not exaggerate the political repercussions of this week in May. When two months later the critical vote for governor took place, not one manor tenant appeared at the polls and Philip Schuyler blamed his loss on the low vote in the county.[54] (Ten years later, a Federalist found the tenants of the eastern manor solidly opposed to the proposed United States Constitution, for, he said, they considered it a struggle for hearth and home ("pro aris et focis") arising from "the ill fated controversies about their Lands."[55]) Thus the mutual hostility of

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[53]William Smith, Historical Memoirs from 1776 to 1778, 128, 132, 133-134, 136.

[54]Ibid., 163; Philip Schuyler to William Duer, July 3, 1777, Schuyler Papers, N.Y.P.L.

[55]Peter Van Schaack to Philip Schuyler, Apr. 3, 1788, ibid.

tenant and landlord was laid bare just at the moment when the different factions of the Whig coalition began their struggle for the power to determine what kind of society would emerge from the war.

Conclusion

New wine, according to the Gospels, cannot be put into old wine-skins. This introductory chapter has sketched out a contrasting attempt to make a new container around combustible material which remained intractably unchanged: to build a new form of government around a tri-cornered class struggle which had not altered.

The three characters that we set upon our stage--the conservative and radical leaderships, the underlying population of disgruntled tenants--have been suggested, but only suggested. The necessary task remains of seeing them more solidly and in the round, and of tracing their inter-reactions not merely in the chronological cross-section of a single spring, but year-by-year throughout the Revolutionary War.

As explained in the Introduction, it has seemed best to make this effort in the restricted arena of a single county. Hence we proceed now to Dutchess County: "blithe Dutchess" according to its latest historian, but a harsh and bitter home for many a laboring man in the eighteenth century.

CHAPTER II

LANDLORD AND TENANT IN DUTCHESS COUNTY

Dutchess County before the American Revolution was not the mellow and genteel community we know today. It was a society in which an heiress married "under a crimson canopy emblazoned with the family crest in gold--a demi-lion crowned issuing from a coronet"; and "as on rent day, the tenants gathered before the manor hall to feast and wish happiness to the bride while within a lavish banquet was spread for the Van Cortlandts, Livingstons and other river families."[1] It was a society, too, in which the leader of a tenant rising was sentenced to be hanged, drawn, and quartered for high treason: that is, to be hung, cut down, and have his severed genitals and extracted intestines burnt before his eyes while he was (in theory at least) still alive.[2]

The brilliance and brutality of this neofeudal society rested on the ownership of land. By 1710, when the population of Dutchess numbered only a hundred-odd families,[3] every one of the county's eight hundred square miles had been

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[1]Alice Curtis Desmond, "Mary Philipse: Heiress," New York History, XXVIII (1947), 26.

[2]Irving Mark, Agrarian Conflicts, 147.

[3]The population of the county in 1713 was 445 (Federal Writers' Project American Guide Series, Dutchess County [Philadelphia, 1937], 11).

patented to a few dozen absentee landlords; and in the seventeen-eighties, Dutchess, of all New York's counties, still "showed the proudest array of large, well-settled patents."[4] Between tenant and landlord, as between mortar and pestle, the politics of the county was formed. "If one may judge anything by the number and nature of the cases in Dutchess County courts," comments McCracken, "the period of the Revolution witnessed a conflict in society beginning twenty years earlier and lasting ten years longer than the actual hostilities of war."[5] The struggle between landlord and tenant in Dutchess flared into armed riots in the seventeen-sixties; was fundamentally settled by the sequestration and sale of the Morris and Robinson holdings in the Revolution; but lingered on, in many individual dramas of mortgage payments and sheriff's sales, to affect the politics of 1788.

To understand the landlord-tenant struggle, and the conflict of political parties which grew from it, it will help to take a quick overview of land tenure and politics in Dutchess in the seventeen-fifties.

Economic Power

The owner or owners of a patent very often did not live on or even visit their land. There is no record of

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[4]E. Wilder Spaulding, New York in the Critical Period, 1783-1789 (New York, 1932), 89.

[5]Henry Noble McCracken, Old Dutchess Forever! The Story of an American County (New York, 1956), 234.

Henry Beekman, Jr., ever setting foot in his Beekman Back Lots, while "the widow Pawling came over from Rhinebeck once a year in a lumber-wagon to collect her rents."[6] Patents were often purchased for scandalously small sums. Thus, Lord Bellomont wrote to the secretary of the Board of Trade in 1698:

> One Henry Beekman, a Lieutenant Colonel in the militia, has a vast tract of land as large as the Midling county of England, for which he gave Fletcher [the governor] a hundred dollars, about 25 pounds English, and I am told he values his purchase at £5000.[7]

Often the patents were illegal, in that no proper purchase from the Indians was ever made. This was preeminently true of the Philipse Patent, embracing all of southern Dutchess. Professors Mark and Handlin call it "undoubtedly fraudulent," and in the nineteenth century, when it was safe to do so, the New York legislature said the same--adding, however, that to call it in question at that late date "would unsettle the title to a large portion of the State."[8] Moreover, by loosely specifying unsurveyed boundaries, patentees frequently contrived to take possession of many times the acreage intended by the government. Here, too, the Philipse Patent is a prime example. The eastern boundary was a certain "marked

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[6]Jennie Green, "Some History and Some Traditions of Pawling, New York," Dutchess County Historical Society [hereafter D.C.H.S.], Yearbook, XXIX (1944), 57.

[7]Quoted by James Smith, History of Dutchess County, New York (Syracuse, 1882), 254.

[8]Irving Mark and Oscar Handlin, "Land Cases in Colonial New York, 1765-1767: The King vs. William Prendergast," New York University Law Review, XIX (1942), 168.

tree," which as originally intended would have limited the patent to 15,000 acres; but by asserting that the tree was really somewhere very different, Philipse succeeded in adding 190,000 extra acres to his claim.[9]

Having taken possession, patentees were slow to survey and divide their holdings. In Dutchess it was after 1750 when all the land was made available for actual farming. Whether the patent was leased or sold varied from owner to owner. In Rombout one of the three owners, Catherine Brett, began to sell at once, disposed of 30,000 acres, and in 1700 was rated at only twenty pounds;[10] whereas the Verplanck family, holding another third of that patent, maintained a strict leasehold policy into the nineteenth century. Very generally, north and south Dutchess were predominantly in leasehold until the Revolution, while central Dutchess—the precincts of Rombout, Poughkeepsie, Charlotte, and Amenia—was predominantly in freehold.[11] What the Revolution did was to make south Dutchess, as well as central Dutchess, predominantly freehold (see map on p. 9).

Northwest Dutchess was the home of most of the great

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[9]Oscar Handlin, "The Eastern Frontier of New York," New York History, XVIII (1937), 52.

[10]McCracken, Old Dutchess Forever, 73. In the same year Beekman was rated at four hundred pounds.

[11]For Rombout, Helen Wilkinson Reynolds, ed., Eighteenth Century Records of the Portion of Dutchess County, New York, that was included in Rombout Precinct, D.C.H.S., Collections, VI (1938), preface; for Poughkeepsie and Amenia, James Smith, Dutchess County, 54, 342; for Charlotte, McCracken, Old Dutchess Forever, 40.

absentee landowners of the eighteenth century, just as it was the site of most of the "places" of the nineteenth-century gentry. Many of the great landlords were heirs of Henry Beekman, Sr. (1652-1716), whose holdings comprised most of Rhinebeck, Beekman, and Pawling precincts. He bequeathed his property in three equal parts to his daughters and to his son, Henry Beekman, Jr., who in the second quarter of the eighteenth century "ruled the rapidly growing population of Dutchess almost as if he had been its manor lord."[12] All three branches of the Beekman heirs married in the first or second generation into the Livingston family, one of the most powerful families in the province, whose vast holdings north of Dutchess County cast a formidable shadow of influence southward. Chancellor Robert R. Livingston, Jr., the heir of part of Margaret Beekman Livingston's 240,000 acres in Dutchess County,[13] would be next to Hamilton the most prominent Federalist spokesman in the New York ratifying convention.

What Thorstein Veblen called the "underlying population" was in both Rhinebeck and Northeast precincts made up in good part of Palatine Germans. Their ancestors had been imported in the early eighteenth century as indentured servants and settled at Rhinebeck and just across the Hudson to extract tar from the pitch pine.[14] Richard Smith, traveling up the

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[12]Philip L. White, The Beekmans of New York in Politics and Commerce, 1647-1877 (New York, 1956), 159.

[13]Joan Gordon, "Kinship and Class," 189.

[14]McCracken, Old Dutchess Forever, Chapter II.

Hudson in 1769, landed at Henry Beekman's manor in Rhinebeck and found no one who could speak English; he noted that one tenant paid an annual rent of twenty bushels of wheat for his farm of ninety-seven acres and had the liberty to cut wood anywhere on the manor.[15] The quasi-feudal social atmosphere in these parts of the county is suggested by the Old Red Dutch Church, erected in northern Rhinebeck about the time of the Revolution.

> A raised floor extended along each side of the body of the house, on which were square pews, provided with an ornamental railing on top, so high that when a person was seated nothing of him was visible except his head. These were intended for the use of the families of the landed proprietors. The common people occupied the slips in the body of the church. The elders and leading members sat in the side pews on either side of the pulpit.[16]

Probably typical of Rhinebeck leases were those customary in the seventeen-nineties at the estate of Morgan Lewis, a future governor of New York who married one of Chancellor Livingston's sisters. His leases were usually in perpetuity, thus providing both security of tenure and the legal status of freeholder. But they also customarily contained such features as the following:

> . . . a provision that the tenant should pay a certain proportion of the sale money, and this was usually from one-sixth to one-tenth; also to deliver a certain number of bushels of wheat, usually "good merchantable winter wheat"; also to do a certain number of days riding whenever he was directed to do it, and to furnish

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[15]Richard Smith, A Tour of Four Great Rivers: The Hudson, Mohawk, Susquehanna and Delaware in 1769, edited by Francis W. Halsey (New York, 1906), 10.

[16]Philip H. Smith, General History of Dutchess County from 1609-1876 Inclusive (New York, 1877), 383.

> a few fowls, mentioned often as 'fat fowls'; and to have his grain ground at Lewis' mill, providing it was within a certain number of miles of the mill.

A 'day's riding' meant, in the terminology of one lease:

> . . . yielding, rendering and performing to said Morgan Lewis, his heirs and assigns, one day's work with wagon, sleogh or plow, two horses or oxen and an able man to drive in such manner with such of the above instruments and at such time and place, yearly and every year forever, within ten miles of the demised premises . . . as said Morgan Lewis . . . shall direct.[17]

In most of these obligations, the tenant in pre-Revolutionary Dutchess was on all fours with the peasant of medieval Europe.

Whereas in older leases the tenant was compelled to render a variety of physical services, the relation between landlord and tenant came increasingly to be expressed in money. A series of leases from 1742 to 1787 in the Gilbert Livingston Land Papers shows the transition toward the commutation of services.[18] The earlier leases provide for payment in kind (so

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[17]Harry Arnold, 'Reminiscences of the Lewis Estate at Staatsburgh,' D.C.H.S., Yearbook, XIII (1928), 33-35. In 1762, Judge Robert Livingston of Clermont wrote his son, the future chancellor, that he had 'let 8 farms of 100 acres . . . for the 10th of all grain and each farm to ride and boards from the saw mill which is a higher rent than any in Dutchess County' (letter of March 12, 1762, Robert R. Livingston Papers).

[18]Spaulding misunderstands these papers in the N.Y.P.L. because he believes them to refer to Livingston Manor.

The leases and other legal documents in the Land Papers are valuably supplemented by the correspondence between various Livingstons in the two boxes of the Gilbert Livingston Papers. The letters reveal a bizarre mixture of very hard-headed business instructions with family chitchat. Thus Robert G. Livingston wrote to Gilbert Livingston, Sept. 28, 1786: 'Abaraham Finch was here two days ago soliciting for further time to pay the small balance remaining, I told him I had waited long enough already and that I would not consent to anything of the kind and am with our kind love to all at the house . . .'; and Henry G. Livingston wrote to Gilbert, Jan. 1, 1782: 'Inclosed you have two notes against Rufus Herrick have you arrested Shafer? Affectionately . . .' (both in Box 1).

many bushels of "good sweet merchantable winter wheat"), a "couple of live fat hens," and a day's work with wagon or seven shillings. In a lease of 1758 the same printed form is used but the clauses about the hens and a day's work are crossed out. In a lease of 1767 a new printed form is used which mentions neither fowls nor carting, but still provides for payment in kind.[19] The last in the series, dated 1787, provides for a cash rent. Clauses that remain throughout the series are those providing for reentry or seizure of goods by the landlord in the event of default of rent, those prohibiting waste, especially of timber, and those which require the tenant to grind his grain at the landlord's mill and to offer his grain for sale to the landlord before anyone else. Thus the manorial lease shaded off into the cash lease, as the cash lease was to shade off into mortgage indebtedness.

Political Power

Given this centralized economic power, politics could be only partially democratic at best. Even had the universal manhood suffrage of the 1788 election existed in the seventeen-fifties, what Namier calls "the inevitable result of open voting by people in dependent positions" would have had its

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[19]Another series of Dutchess contracts illustrating this type of lease appears in a "List of sundry Farms in the second nine Partners . . . 1st August 1785" (Misc. Mss. Dutchess County, N.-Y.H.S.), as follows:

LIST OF SUNDRY FARMS IN THE SECOND NINE PARTNERS . . . 1st August 1785

Number of Lot	Lives Lease	Acres	Rent in Wheat Bushels	Rent Due in Bushels	Cash Due for Riding & Fowls at 8/6 per Annum	Supposed Value per Acre	Supposed Value of each Farm
28	1	284	25	--	--	40 s./	£568
	2	214	25	25	£ 0. 8. 0	40 s./	428
	2	238	24	$98\frac{1}{2}$	2.11. 0	40 s./	476
35	2	108	$21\frac{1}{2}$	172	4. 5. 0	30 s./	162
	1	203	30	120	8. 6	35 s./	354
	2	161	30	136	1. 2. 6	30 s./	241
2	1	135	12	154	5.18. 6	30 s./	202
	1	135	12	60	2.11. 0	30 s./	202
	1	270	18	108	2.19. 6	30 s./	405
19	2	228	24	281	8. 1. 6	30 s./	342
	2	228	24	96	6. 0. 6	30 s./	342

effect; Namier, writing of England in the same period, estimates that only one voter in twenty had sufficient economic and social independence to be able to vote as he pleased.[20] Abraham Yates wrote of pre-Revolutionary New York: "What material difference is there whether one elector by his own voice sends a Member to parliament, or a manour settled with a hundred or a thousand Tenants, under the influence of one Person (and moved by his insinuation, nod or at least a letter . . . the Tenant [gives] his vote against his inclination, against his most intimate friend or relation, to a person the landlord was pleased to nominate."[21]

Voting for state legislators was restricted to owners of £40 freeholds. Tenants with farms of this value whose leases ran for twenty-one years or more enjoyed the suffrage, but freeholders with lands worth less than £40 did not. In 1713-1714, out of a total Dutchess population of 445, there were 89 adult males and 67 freeholders; in 1740-1746, out of a total population of 8,806, there were 2,056 adult males and 235 freeholders; in 1771-1775, out of a total population of 22,404, there 4,687 adult males and 1,800 freeholders.[22] The percentage of freeholders to adult white males, then, was 75 per cent in 1713-1714, 11 per cent in 1740-1746, and 38 per cent in 1771-1775. Was this a rough indication of the per-

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[20]Lewis Namier, The Structure of Politics at the Accession of George III, second ed. (London, 1957), 70, 73.

[21]"Speeches to Delegates in Congress, 1780," Yates Papers.

[22]These figures are taken from O'Callaghan's Documentary History, with the exception of 1,800 freeholders in 1775, which comes from a letter in Peter Force ed., American Archives (Washington, 1837), Ser. 4, II, 304.

centage of adult white males who could vote? The question might seem impossible to answer since there seems to be no way of determining how many tenants were considered freeholders at election time.[23] However, a rough indication is provided by the electoral census of 1790, which listed 2780 persons with freeholds worth £20 or more in a white male population over 16 of 10,968: a percentage of 25.4.[24] If, after the creation of new freeholds by land confiscation in the Revolution (see below, Chapters IV and V), no more than a quarter of the county's adult white males qualified as £20 freeholders, it seems reasonable to assume that the percentage of £40 freeholders before the Revolution was not much greater. The fact that about 1200 persons actually voted in the one Dutchess election before the Revolution for which returns exist,[25] suggests that this estimate is not wildly out of line: Michael D'Innocenzo has calculated that these actual voters were about 30 per cent of the county's adult white males at the time.[26]

Quite apart from electoral pressure of landlords upon tenants, therefore, it appears that (at least for Dutchess)

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[23]For an attempt to grapple with this question, see Chilton Williamson, American Suffrage From Property to Democracy, 1760-1860 (Princeton, 1960), 28.

[24]New York Daily Advertiser, Jan. 15, 1791.

[25]New York Journal, Feb. 16, 1769. 1200 was derived simply by halving the total vote for the four candidates.

[26]Michael D'Innocenzo, "Voting in Colonial New York," 78. It should be noted that this author believes Dutchess figures were untypical of the state: he concludes that 50-60 per cent of adult white males in the state could vote, and 40-50 per cent did vote (ibid., 60 ff.).

Becker was correct in saying "that over half of the male population over the age of twenty-one years" could not vote.[27] If so, one must view Dutchess politics not on the model of Massachusetts but rather on that of Virginia, where also - in the judgement of Charles Sydnor[28] - less than half of the adult white males enjoyed the franchise.

As in Virginia, too, running for office in pre-Revolutionary Dutchess County called for "swilling the planters with bumbo."[29] The political boss of the county from the 1720's until 1758 was its largest landowner, Henry Beekman, Jr. Pursuant to the election of 1752, Beekman sent the following instructions to Henry Livingston, who served him both as rent collector and political lieutenant:

> Mr. Filkin said he would provide or furnish beef and backing. Most all should be built a day or two before the election and brought to the several houses of ours . . . . The cider should also be distributed before the day. I will send you my Negro Sam till the elections be over. Bread we intend to bake here 100 rum are to have from Bowdwyn that also should be distributed to such houses wherein it cannot be had.[30]

As Yates expressed the situation, if the "landed Gentlemen" agreed on a candidate, the result of an election was a foregone conclusion; if not, "the public houses in every quarter were opened and a trial made who had the most influence and the largest purse."[31] Election returns were often a formality: one Quaker, for example, told Beekman after church "that all the Friends

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[27] Becker, History of Political Parties, 11. Compare Mark, Agrarian Conflicts, 97 n., and Milton M. Klein, "Democracy and Politics in Colonial New York," New York History, XL (1959), 237.

[28] Charles S. Sydnor, Gentlemen Freeholders (Chapel Hill, 1952), 28-32 and Appendix II. [29] Ibid., Chapter IV.

[30] "A Packet of Old Letters," D.C.H.S., Yearbook, VI (1921), 35.

[31] "Speeches to Delegates in Congress, 1786," Yates Papers.

would go one way. They can make about 100 votes in our County."[32]

Beekman controlled the governor's appointments of sheriff, coroners, militia officers, and justices of the peace for Dutchess County. "So routine were patronage matters to Henry in 1744," White comments, "that he confessed to his nephew and political lieutenant, Henry Livingston, that he had forgotten on a trip home 'to consult for a fit person to be Coroner'."[33] A year earlier he had directed Livingston to

> send down a list of five commissioners of the peace as it is now circumstanced, and judges and assistants for keeping the courts . . . and who would suit best and convenientest for assistants case of a new commission. I should only surmize as Judge Terboss, Filkin, Swartwout, assistant H. Beekman Mathew DuBoys, Lou Van Kleek, Cornelius Van Wyck, Gul. Verplank, Henry VanDerburgh.[34]

Then as now, money might grease the machinery of appointment. "Louis DuBoys of your place," wrote Beekman, "told me he would this day apply to the governor for a Captain's license for himself if Doctor Colden be gone home he will perhaps elsewhere be not understood. Money only hath sense.[35]

Beekman was occasionally challenged for election by rival landowners who wished to secure some of this valuable patronage,

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[32]Henry Beekman to his brother, May 9, 1744, and same to Henry Livingston, Feb. 10, 1749, Misc. Mss. Dutchess County, N.-Y. H. S.

[33]Philip White, Beekmans of New York, 191; see also 169-170, 192, 183.

[34]"A Packet of Old Letters," 29.

[35]Ibid., 33.

but he held his seat until he voluntarily retired.[36] The gerrymandering of political districts which became so common with the more democratic electoral battles after 1768, was apparently unnecessary in the mid-century.[37] Landlord control was secure.

Conclusion

A combination of economic and political power gave great landlords like Henry Beekman, Jr., a dominant influence in Dutchess County in the 1740's and 1750's. Open voting by tenants sedulously wined and dined in preparation for election day prevented the emergence of an effective opposition.

The practical extent of Beekman's influence is suggested by a letter from Joseph Alexander to Joseph Murray in 1753. "There is little probability," Alexander wrote, "that impartial jury can be found in that county to try those causes. For all the first Nine Partners are concerned against us [and] the greatest part of the rest of the land in the county either Col. Beekman or his sisters or their relations or the owners of the two Nine Partners or their relations are concerned in and [there are] very few men that are unconcerned in that county." Alexander concluded that he would accept a jury "of any foreign county except Albany and Ulster where Col. Beekman has great interest and relations."[38]

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[36]Beekman's challengers and their motives are discussed by Philip White, Beekmans of New York, 192-198, 206-207.

[37]For later examples of gerrymandering in Dutchess, see John Jay to Robert R. Livingston, Jan. 1769; "Reasons against dividing Beekmans precinct," n.d.; Ephraim Paine to Robert R. Livingston, Feb. 12, 1779; Henry Livingston to Walter Livingston, Mar. 2, 1785 (Robert R. Livingston Papers).

[38]James Alexander to James Murray, Apr. 11, 1753, ibid.

Very occasionally, however, a discordant note is heard in Beekman's genial correspondence. In 1749 he wrote to Livingston that a riot had occurred on "Sister Pawling's" lot. In 1751 Beekman told the same confidant: "As to the affair of our tenant have had item four or five months ago, kept the thing a secret with intent to find its first mover, then suspecting the person you do hope you'll find out who those were, at the Poughkeepsie meeting truth will come out, and the authors of rebellion, seducers - give them rope enough they will hang themselves." They had not, however, hung themselves by the following year, when Beekman complained to his agent that a tenant was claiming "he held under a new fair field right and not under Philips. So that they trump up more and more titles against us."[39]

The rebels and seducers referred to were the first movers in the tenant discontent which was to overturn the political machine that Beekman built. Centering in the Philipse patent of south Dutchess, the discontent also affected Beekman's holdings in the precincts of Pawling and Beekman. "Their will be two parties," Beekman had commented in 1749, referring to the unusual event of a contested election.[40] There were indeed to be two parties, but in a deeper sense than the one Beekman imagined.

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[39]Henry Beekman, Jr., to Henry Livingston, Aug. 31, 1749 (Misc. Mss. Dutchess County, N.-Y.H.S.); "A Packet of Old Letters," 34; Henry Beekman, Jr., to Henry Livingston, Apr. 7, 1752 (Henry Livingston Papers, F.D.R. Library).

[40]Henry Beekman, Jr., to his cousin, Jan. 5, 1749, Misc. Mss. Beekman, N.-Y.H.S.

CHAPTER III

THE TENANT RISING OF 1766

Southern Dutchess, in which the tenant riots of 1766 centered, was in many ways separated from the rest of Dutchess County. A high ridge, culminating at the Hudson with Mount Beacon, Breakneck Ridge, and Anthony's Nose, made north-south travel arduous. Even a modern road map shows how the farmers of Patterson and Carmel took their wheat southwest to Cold Springs and Peekskill rather than over "the mountain" to Fishkill (now Beacon). The soil of the southern region was generally poor and rocky. "The south part of the county," wrote William Smith in 1756, "is mountainous and fit only for iron works."[1] Finally, it was only in the 1750's, later than anywhere else in Dutchess, that the land was surveyed, subdivided and leased out in farms.[2] Thus in respect to isolation, poor soil, and late settlement, this was Dutchess County's frontier.

Later, it would be politically radical. The area voted consistently Clintonian in the 1790's, when north Dutchess was

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[1] William Smith, History of the Late Province of New York from its Discovery to 1762 (New York, 1830), I, 311.

[2] "Four-fifths of the land of Dutchess was not opened for settlement until after 1730" (McCracken, Old Dutchess Forever, 77). For the exact dates at which different precincts were divided among their patentees, and so made available for leasing, see ibid., 58, 76, 77, and William Pelletreau, History of Putnam County, New York (Philadelphia, 1880), 40-49.

consistently Federalist and central Dutchess wavered between the two. Although none of the seven Dutchess delegates at the ratifying convention of 1788 came from the southern region, two came from precincts just to the north (Swartwout from Rombout, Akin from Pawling), and these were the two who voted against the Constitution when the blue chips were down.

Such was the stage. The dramatis personnae fell into two camps. On the one hand were the three heirs to the Philipse Patent which embraced the entire 205,000 acres of southern Dutchess. They were Philip Philipse, son of the patentee; Roger Morris; and Beverly Robinson, who as a member of an old Virginia family exemplified the similarity of Hudson Valley and Tidewater aristocracy. On the other hand were the settlers, who came almost entirely from New England[3] and numbered just under nine thousand by 1788.[4] They came, in the words of a Moravian missionary, 'in expectation of bettering their fortunes by the purchase of cheap farms, and for the enjoyment of religious liberty,'[5] naming their hamlets Carmel, Sharon, and Amenia, as their descendants would found Sweet Home and Lebanon at the end of the Oregon Trail. For most of them it was to be a long day before they could enjoy the fruits of the land under their own vine and fig tree, and be not afraid.

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[3]McCracken, Old Dutchess Forever, 471, finds only 2 per cent of the names in the 1800 census of southern Dutchess to be Dutch.

[4]Pelletreau, Putnam County, 128.

[5]Journal of Abraham Rhinke, quoted in Philip Smith, General History, 112.

The difference in social atmosphere between this southeastern part of the county and the northwest was extreme. To the Old Red Dutch Church of Rhinebeck we can contrast the Baptist congregation of Patterson which split in 1796 "on account of the superflous dress, and the holding of posts of civil and military office in earthly states, by certain members."[6] While slaveholding was common here as in all parts of Dutchess County, the Quakers of Pawling were one of the first organized groups in the country to exclude members who held slaves,[7] and Baptist groups along the eastern frontier also occasionally declared against the practice.[8]

The Grievances

Three types of grievance brought things to a head in southern Dutchess. The first involved all the tenants on the Philipse Patent and was tersely summarized by one of the 1766 rioters as "largeness of rents and shortness of leases."[9] The Philipse heirs followed a rigorous policy of lease rather than sale; down to the Revolution, only one farm on the patent had been sold. Many of the leases ran for only one year and were secured by a penal bond of one thousand pounds.

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[6]Philip Smith, General History, 448.

[7]McCracken, Old Dutchess Forever, 198.

[8]Thus the Baptist congregation of Northeast declared slavery contrary to the Gospel in 1778 (James H. Smith, History of Dutchess County, New York [Syracuse, 1882], 249).

[9]Testimony of Samuel Peters at the trial of William Prendergast, August 6, 1766. The notes on this trial, printed

Whereas most Dutchess landlords were nonresident, Morris and Robinson moved onto the land and instituted a close supervision more characteristic of the manors. Robinson's cool, aggressive intelligence set its stamp on all the subsequent events. For example, when on one occasion the tenants contested the validity of the Philipse Patent before a Court of Chancery, Robinson suddenly produced (but did not permit the tenants to see) what purported to be a record of sale by the Indians, and by this "obvious forgery"[10] carried the day.

Robinson's later claims to the British commission which compensated American loyalists, give a precise indication of the rent burden under which his tenants labored. As of May 1, 1777, Robinson's tenants owed him £7191 in principal and £1338 in interest; on three lots, the amount owed was two-and-a-half times the annual rent bill.[11]

The second grievance involved only a few tenants directly, but threatened many more. For decades before 1754, settlers had filtered onto the Philipse Patent. They took leases, when they took them at all, from the only apparent owners, the Wappinger Indians. This tribe claimed ownership of the east bank of the Hudson from Yonkers to Poughkeepsie,

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by Mark and Handlin, "Land Cases in Colonial New York," together with the secondary accounts of Mark, Handlin, Pelletreau, and McCracken, as previously cited, are the basis for the following paragraphs.

[10]This is the judgment of Mark and Handlin, "Land Cases in Colonial New York," 168.

[11]Frederick C. Haacker, "Early Settlers of Putnam County, New York," typescript, N.Y.P.L. (1946), 2, 15.

but by mid-century had retreated to the most inhospitable fragment of this area, the southern Dutchess highlands. At the outbreak of the French and Indian War the men of the tribe left to fight for the British, leaving their women and children at the Indian settlement in Stockbridge, Massachusetts. On their return to the highlands they found the Philipse heirs in possession, and commenced a legal action which they carried to the New York Supreme Court, to the governor and his council sitting as a Court of Chancery, and to the Lords of Trade in England.[12]

In this legal action the Indians were allied with the white squatters on the Philipse Patent. Fifteen of these squatters, some of whom had farmed the land for thirty or forty years, Robinson attempted to eject, without, as the tenants said,

> any manner of recompense for their labour, fatigue, and expense in cultivating manuring clearing fencing and improving said lands, nor for their buildings thereon erected, nor for their crops thereon then growing.[13]

"Being chiefly poor people," the tenants explained, they "unitedly agreed to stand trial in only one" of the fifteen cases of ejectment; but they "found that every attorney at law in that whole province was previously retained on the other side.[14] The Indians thereupon had a poor tenant,

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[12]The Supreme Court consisted "Wholly of important landowners and land speculators," the Court of Chancery was "every member . . . a large-scale landholder" (ibid., 118, 116).

[13]Brief of Nimham (the Wappinger chieftain) before Chancery (Pelletreau, Putnam County, 39 ff; Handlin, "The Eastern Frontier of New York," 68).

[14]Ibid.

Samuel Munroe,[15] acknowledged as their attorney by two justices of the peace, and proceeded with their case. As their suit was rejected and roughly rebuked by courts entirely made up of large-scale landowners and land speculators, they and their neighbors cast about for some other means of redress. "The reason for turning people out of possession," an observer later testified, "was that those who had been turned out of possession had an equitable title but could not be defended because they were poor."[16]

The tenants on the Philipse patent summarized their grievances in two petitions hitherto unutilized by students of the rebellion. One, dated November 10, 1763, and entitled, "A petition for a confirmation of our inheritance together with our associates," described the contested area between the Rombout and Philipse patents, and stated:

> This land has been claimed by both Philipse and Col. Beekman which has discouraged people from building good houses etc. and planting orchards and some have been disinherited and the given leases of Col. Beekman are intolerable.

Another petition (of February 24, 1764, and also in Samuel Munroe's papers at the New-York Historical Society) said in a long

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[15]In tax collector Abraham Wing's account book for 1752-1753, Samuel Munroe along with many others was rated at £1 s.1d.6, the lowest assessment listed. Well-to-do farmers in the same neighborhood were taxed up to £15. Jonathan Akin, father of a son with the same name who was a Dutchess Anti-Federalist delegate in 1788, was rated at £12. (Abraham Wing Papers, F.D.R. Library).

A Mr. "Monroe," originally from Connecticut, was an object of Henry Beekman's wrath as early as 1749 (Beekman to Henry Livingston, Feb. 10, 1749, and to his cousin, May 6, 1752, Misc. Mss. Beekman, N.-Y.H.S.).

[16]Mark and Handlin, "Land Cases in Colonial New York," 175, 191. The Philipse heirs spent £208 1s.18d.10 defending their patent (Irving Mark, Agrarian Conflicts, 150).

sentence which seems to express the bursting out of grievances in its very grammar:

> We the subjects abovesaid finding possessions and livings on a tract of vacant land and unpatented or not granted to any by the King's letters patents though claimed by several and the civil inhabitants put to great damage and difficulty being disinherited and thrown out of possession at the same time the Claimers refusing to give their obedient tenants a good or warrantable title by leases deed or any other title for their leases for 3 lives or twenty years: theirs only to quit their claims their resolution especially Capt. R. . .s. .ns in November intolerable for he would not lease the land to the inhabitants who had lived on it for near 30 years past and had manured and cultivated the same but would oblige them to buy their farms paying down for it or else to remove immediately . . . .

The first of the petitions refers to the third type of grievance which agitated the tenants of south Dutchess. In addition to the onerous kind of lease in favor with the Philipse heirs, and the uncertainty of their title to the land, the tenants on the patent were the victims of a characteristic land squabble of the time: a boundary dispute. Because of the vagueness of patents, there was a disputed strip or "gore" between almost every pair of adjoining patents. The standard method of settling a boundary was to eject a tenant in the disputed area and go to court.

The Philipse heirs were latecomers in the competition for land. They soon became embroiled with the owners of the Rombout and Beekman patents to the north, and with a Connecticut group who claimed land in a narrow strip called "the Oblong" which ran north and south between the two states. Samuel

Munroe held land both in the disputed Beekman gore and (either at the same time or later) under a Connecticut lease in the Oblong; so did the family of the Jonathan Akin who was to vote against the Constitution at Poughkeepsie in 1788.[17] This convergence of two boundary disputes in the neighborhood of Quaker Hill and Patterson was what made it the center of the tenant rising. When on March 11, 1766, arbitrators upheld the Robinson rather than the Connecticut claim to the Oblong lands,[18] the dry tinder of cumulative grievance burst into flame.

A Little Rebellion

During the winter, in the after-harvest talk at Morrison's and Towner's taverns,[19] a plan of action had crystallized and now was put into effect. When May came no rents were paid. Tenants who attempted to make an individual settlement were visited at night by groups of their neighbors armed with clubs and rifles. William Prendergast, a well-respected man rather more prosperous than most of his

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[17]Pelletreau, Putnam County, 105, 633-634. In the Miscellaneous Manuscripts--Dutchess County of the N.-Y.H.S., are some "Papers left by Mr. Munroe [re]lating to Rombout patent, [Ste]phen Van Cortlandt's, Beekman's patent," including a memorandum noting "vacancies" between a number of patent boundaries. The most important boundary in dispute in 1766, that between Rombout and Philipse patents, was still unsettled in 1785 (Egbert Benson to James Duane, April 2, 1785, Duane Papers).

[18]Pelletreau, Putnam County, 633-634.

[19]This and all other details are not imaginary local color, but derived from the testimony at the trial of Prendergast.

guaranteeing anonymity. No one came forward, and it may have been this which saved Prendergast's life. For his wife, Mehitabel Wing, galloped to New York City and received a stay from Governor Moore pending an appeal to the king which was ultimately successful.

Political Repercussions

This tragicomic ending should not blind us to the lasting significance of the tenants' rebellion. Men had been forced to take sides, and the choices they made were not soon forgotten. It was not only Secretary Conway and Governor Moore who spoke of the rioters as "the lower and more ignorant of the people," "the lowest people."[24] John Morin Scott, the Son of Liberty, was a member of the Supreme Court which mocked Munroe and Nimham, the Wappinger chieftain.[25] The sheriff who attempted to rally the Dutchess militia against the tenants was James Livingston, a ne'er-do-well uncle of Gilbert Livingston; the sheriff of Albany County who led troops against Livingston Manor rioters was a Yates. The jury which condemned Prendergast was composed of some of the very men who would later make political capital from the tenant grievances: two Brinckerhoffs, related to the assemblyman elected by tenant votes in 1768; and Jacob Griffin, political crony and near neighbor of Dirck Brinckerhoff and Jacobus Swartwout.[26] The

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[24]Handlin, "The Eastern Frontier of New Yorl," 69, 72.

[25]Mark and Handlin, "Land Cases in Colonial New York," 167.

[26]Ibid., 169. At this time, jurymen were required to possess a ten-acre freehold (McCracken, Old Dutchess Forever, 202-203).

pattern of reactions to the crisis of 1766 anticipated the future tri-partite division (outlined in Chapter I) between the mass of tenants, the Anti-Federalist politicians who sought their votes, and the conservative politicians who despised them.

The families of both Jacobus Swartwout and Jonathan Akin, the two Dutchess delegates to the New York ratifying convention of 1788 who voted against the United States Constitution, were directly involved in the tenant disturbances of the 1760's. Quite possibly it was Jacobus Swartwout himself who, like many other south Dutchess tenants, took a lease from the Indians as described in the following letter from Catherine Brett (who claimed to own the land) to Sir William Johnson:

> Some mischievous white people went to the Indians and hired little bits of land and made them give them leases, then they put in what quantity of land they pleased and made their leases for ninety-nine years. And this old Nimham had been dead about twelve years but his children might have stayed on till this day but his oldest son one Shake came to me and asked me liberty to sell the improvements to one Captain Swartwout. I opposed it at first and a little after he came down again with seven or eight more Indians for liberty to sell the improvements. I gave him leave to sell the improvements and he sold them for twenty pounds. It being a precarious time, I suffered all this, for fear of their setting up the Indians against me.[27]

As to the Akins, they owned land in two of the disputed gores near Quaker Hill and Patterson, as mentioned above. But their connection to the tenant rising was closer than this. For the father (also named Jonathan

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[27]Catherine Brett to Sir William Johnson, Aug. 26, 1762 (McCracken, Old Dutchess Forever, 278-279). Like the "Captain Swartwout" of the letter, Jacobus Swartwout was at that time a captain and lived on the land claimed by Mrs. Brett ("General Jacobus Swartwout," D.C.H.S., Yearbook, XIII [1928], 67).

Akin) of the Anti-Federalist delegate was one of the two justices of the peace who legally confirmed Samuel Munroe's status as attorney for the Wappinger Indians. This action was condemned by a report to the governor in council, in March 1765, which said of the two justices that their behavior "appears to this committee such an abuse of their respective offices, and so dangerous a precedent for encouraging Indian claims against the rights of the Crown, and in disinherison of his Majesty, that the committee is humbly of opinion, that an order of your honor in council ought to be served on the said Terboss and Akins, for them to show cause why they should not be displaced for such misconduct."[28] As a result, both Akin and Terboss were "excused" from the commission of the peace in 1766.[29]

The immediate result of the political moment of truth in 1766 was the startling outcome of the 1768 elections. Henry Beekman, on his political retirement, had arranged that Dutchess be represented in the Assembly by his old lieutenant, Henry Livingston of Poughkeepsie, and by Robert R. Livingston of Clermont, the father of Chancellor Livingston. They held the seats from 1761 to 1768 but were defeated in 1768 by Leonard Van Kleek and Dirck Brinckerhoff, although Livingston, as Cadwallader Colden reported to his superiors in England, "had everything in his favour, which power could give him."[30]

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[28]Quoted by Pelletreau, Putnam County, 71.

[29]"Travelled Documents," D.C.H.S., Yearbook, XX (1935), 87.

[30]Cadwallader Colden to the Earl of Hillsborough,

The election signified two things. The first was the appearance in Dutchess politics of "a rising middle class of freeholders which disliked the domination of the landed aristocracy"[31] to challenge the power of the landlords. Van Kleek and Brinckerhoff, like the Anti-Federalist politicians who later stepped into their shoes, were far from being poor tenants. Van Kleek paid more taxes than anyone in Poughkeepsie,[32] while Brinckerhoff was sufficiently affluent to lend £7004 in mortgages between 1708 and 1795.[33]

These men, like the Cromwellian gentry of the English Civil War, were of "markedly lower social origin" than the "old ruling families" whose power they contested.[34] Consider for example the DeWitt family. Petrus DeWitt during the Revolution was a leading spirit in the county price-fixing movement. His son John was an Anti-Federalist delegate to the state ratifying convention of 1788. Yet Gouverneur Morris could write to Robert R. Livingston in 1778, apropos the New York delegation in the Continental Congress: "If there is any man of the lower orders whom you can trust, a DeWitt for instance, I think it would be advisable to be open-mouthed and loud for him. Such

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April 25, 1768, in E.B. O'Callaghan, Documents, VIII, 61.

[31]White, Beekmans of New York, 206.

[32]In 1771, Leonard Van Kleek was assessed at £32, Henry Livingston the next highest at £30 (Edmund Platt, The Eagle's History of Poughkeepsie [Poughkeepsie, 1905], 54).

[33]Reynolds, Eighteenth Century Records, 55, 59, 71, 72, 73, 80, 81, 96, 97, 112, 128-131, 229, 270, 283.

[34]These phrases are used by Christopher Hill, Puritanism and Revolution, 21-22.

a man would be of infinite service if appointed by US."[35]

In selecting two Livingstons as Dutchess assemblymen, Henry Beekman had made a fatal mistake. No doubt the fact that Robert Livingston was his son-in-law blinded him to the political liabilities of an aristocrat, a non-resident, and a second Livingston. Namier says that in England it was usual to nominate one aristocrat and one gentleman of the county: "hardly ever was an attempt made in a county to fill both seats with members of the same family," for fear of alienating the middling county gentry.[36] The next year, possibly in recognition of this blunder, Judge Livingston ran for the Assembly with one of the Rhinebeck Hoffmans, but was defeated a second time.

Moderately well-to-do, concentrated in and around the town of Poughkeepsie, densely inter-related,[37] the radical politicians of Dutchess in the Revolutionary Era viewed with ambivalence the poor tenant farmers on whose votes they depended. Gilbert Livingston certainly represented one extreme. He belonged, not to the aristocratic branches of the Livingston family, but to a line distinctly less wealthy and prestigious whose income derived largely from minor government offices.[38] Gilbert Livingston's uncle James helped to put down the riots

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[35]Gouverneur Morris to Robert R. Livingston, Sept. 22, 1778, Robert R. Livingston Papers.

[36]Namier, Structure of Politics, 71.

[37]For a full portrait of the Dutchess Anti-Federalists, with documentation of all these characteristics of their group portrait, see my "Anti-Federalism in Dutchess County, New York" (unpublished Master's essay, Columbia U., 1960), Chapter II.

[38]Joan Gordon, "Kinship and Class," 264-265.

during 1766 in his capacity as Dutchess sheriff; his father-in-law Bartholemew Crannell was a lawyer for Beverly Robinson. Livingston himself worked as a lawyer in partnership with the Federalist James Kent, his practice consisting largely of prosecutions for debt.[39] Moreover, he acted as agent for another uncle, Robert G. Livingston, heir to one third of Henry Beekman's vast holdings and one of the county's most notorious landlords. "Robert Gilbert's instructions to his nephew," Joan Gordon writes,

> regarding these lands show great resoluteness about the collection of back rents, eviction of tenants, and the protection of his property from the destructiveness of the tenants. His references to his tenants generally indicate a disregard for them and the need to make his authority and superior position known. "By no means let him stay on the place. Drive him off as soon as possible. I would rather the farm should stand idle than suffer such a sot to stay on it."[40]

In addition to what his partner Kent called a "great and established run of business" as a lawyer, Gilbert Livingston left at least £7,540 of real estate when he died.[41]

At the opposite extreme in his relation to lower-class constituents was Ephraim Paine. His father was a farmer and blacksmith. Ephraim was apprenticed to a farmer in his youth, then made a modest fortune on a voyage to the West Indies. Many of his relatives were Separatist leaders, and he himself was

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[39] Livingston's account book in the Library of Congress, summarized in John Theodore Horton, James Kent (New York, 1939), 51 n.

[40] Joan Gordon, "Kinship and Class," 197.

[41] H. W. Reynolds, "James Kent," D.C.H.S., Yearbook, VIII (1923), 23.

expelled from the Senate in 1780 for being a minister.[42]

> He held that there should be no distinction in dress, and wore, therefore, the dress of a laboring man in the halls of legislation, and in the house of worship. Many mistakes are mentioned, resulting from Mr. Paine's plainness of dress. He was at one time treated as a menial by the landlady at whose house he was staying during his time at court in Poughkeepsie. The only rebuke he gave when she apologized was, "you should treat all men alike." A gentleman who rode in haste to the house on public business gave him his horse to hold while he went in to speak to Judge Paine. Another was looking over the farm for Judge Paine and, finding a man ditching, asked him, "Where is your Master?" "In Heaven," was his ready answer. Judge Paine's education had been without the aid of schools . . . . He opposed decidedly the financial policy of General Hamilton.[43]

The same democratic outlook is obvious in the well-known speeches of Melancton Smith, who began his working life as a clerk in a retail store, and was one of the few Revolutionary leaders in Dutchess who could not put an "Esquire" after his name.[44]

The ambiguity of the radical politician's relation to his constituency is neatly illustrated by an incident in the tenant rebellion involving Jonathan Akin, Sr. As described above, Akin had helped the tenants certify Samuel Munroe as their legal representative. When they turned to violence, however, he persuaded a group of them (so he testified at the trial of Prendergast) to give up their arms.[45]

Just how great was the gap between the radical poli-

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[42]Newton Reed, The Early History of Amenia (Amenia, 1875), 72, 102-103.

[43]Philip Smith, General History, 121-122.

[44]J. Wilson Poucher, "Melancton Smith," D.C.H.S., Yearbook, X (1925), 39-48. "Judge Smith" appears only in the 1780's.

[45]Mark and Handlin, "Land Cases in Colonial New York," 193.

ticians and their tenant constituents, the tax records make clear. Thus Akin, as stated earlier, was rated at £12, and the tenant leader Samuel Munroe at less than £2. It is instructive to compare the tax assessments of the Poughkeepsie Anti-Federalist politicians with the assessments in the south Dutchess precincts where the most radical tenants lived. In 1771, Zephaniah Platt was assessed for £16, John Bailey for £13, Gilbert Livingston and Lewis DuBois for £5, in a tax-list which ran up to £38.[46] In 1777 in southern Dutchess, 727 of 765 taxpayers were rated at £4 or less; 28 were rated from £5 to £9; only 9 were rated at £10 or more. One of the three landlords of south Dutchess, Beverly Robinson, was rated at £70.[47] Here then is a numerical expression of three-way separation of political forces in Dutchess as elsewhere in the state.

These figures confirm the impression that the radical leadership was a long step up the social ladder from their constituents, yet still well below the conservative aristocracy. The typical radical politician in Dutchess County was a man of the "middling" class who lived in a neighborhood which had long enjoyed the security of freehold tenure. The county's anti-landlord voters were men for whom tenancy was an ever-present reality, eviction a constant fear. Their situation prompted them to collective direct action outside

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[46]Tax lists, 1771-1779, Adriance Memorial Library, Poughkeepsie.

[47]Compiled from the tax list printed in Pelletreau, Putnam County, 121 ff.

the political forms more natural to their representatives. Voting was only one way a tenant might express himself. Even tenants sufficiently prosperous to vote and fortunately resident in neighborhoods where the landlord was far away and his electoral pressure less blatant, were habitually addicted to the withholding of rents and to "voting with their feet" by moving on to new frontiers.

When they could and did vote, however, and when emotion ran high so that men spoke their minds even in public polls, then tenants voted against their landlords. We know from two sources that this happened in Dutchess in 1768. One is the statement of Robert C. Livingston that his kinsman had been beaten by the votes of the tenants of Henry Beekman and Robert G. Livingston, whose lands were in Beekman precinct in southeast Dutchess.[48] The other is the following poem composed for the election by a twelve-year-old boy, William Moore, Jr., of Oswego, Beekman Precinct:

> One night in my slumbers, I saw in a dream
> Judge Livingston's party contriving a scheme
> To set up great papers and give some great bounty
> For to be assemblymen in Dutchess County.
> But Leonard [Van Kleek] and Derrick [Brinckerhoff]
> are both chosen men,
> The Livingstons won't get a vote to their ten,
> So pull down your papers, talk no more of bounty,
> You can't be assemblymen in Dutchess County.
> Your printed relation
> Wants confirmation
> Tho' signed by Judge Thomas' hand
> Your writings are discreet
> But in them there's deceit
> Not a vote would you get if it wasn't for your land.[49]

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[48]Quoted in Irving Mark, Agrarian Conflicts, 159.

[49]"A Packet of Old Letters," 36 n.

Thus the second significant meaning of the 1768 election in Dutchess County was that (in Robert C. Livingston's words) despite "all the pains was taking with them," tenants in the county voted according to their minds instead of their masters. Here, as throughout New York state, this election ended the time when a landlord could regard the county where his land lay as "my county," as a political sure thing. The habit died hard. In 1787, Robert R. Livingston could write of Dutchess: "I shall endeavor to make my[self] useful by effecting some changes in the representation."[50] In the long run, however, the pattern of landlord control, once broken, could never be quite put together again.

Conclusion

Defeated in the elections of 1768-1769, the conservative party had recourse to the governor's control of appointments. The key officials in county administration were the sheriff and chief judge. In 1769 and 1771, Dutchess received new men in each of these posts. The sheriff was Philip J. Livingston, Lord of Livingston Manor; the chief judge was none other than Beverly Robinson.[51]

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[50]Robert R. Livingston to Alexander Hamilton, Mar. 3, 1787, Hamilton Papers, Columbia U. For "my county," see William Smith to Robert R. Livingston, Jan. 5, 1769: "Take care of your county . . . ." (Robert R. Livingston Papers).

[51]Platt, History of Poughkeepsie, 33. The diary of William Smith records considerable tussling between the new radical assemblymen and the great landlords over appointive positions. See Historical Memoirs from 16 March 1763 to 9 July 1776 of William Smith, ed. William H.W. Sabine (New York, 1956), I, 52, 68, 171-172, 193. This is the volume of Smith's memoirs preceding the 1776-1783 volume which is cited throughout this study as Historical Memoirs.

From 1768 to 1776 an uneasy truce prevailed in Dutchess County. The elected officials were of one persuasion, the chief appointive officials of another. Judges were on one side, juries on the other. Gilbert Livingston wrote to Robert G. Livingston in 1773: "On mature consideration I think it much the best not to commence a suit against him here in the county court, as he is one of the assistant justices himself, and it will be tried by a jury who will be perhaps half of them in the mob interest."[52] Beverly Robinson wrote to his lawyer, James Duane, just after the tenant rising was suppressed: "I dare say that you do imagine after the correction that our rioters have lately had I should enjoy my lands in peace and quietness, but it seems my troubles are not yet an end."[53] In 1773 Robinson, by then chief justice of the county, was still trying (with the legal assistance of Scott, Duane, and Gilbert Livingston's father-in-law) to "eject old Samuel Munroe."[54]

The problem of tenancy remained central and unsolved on the eve of Lexington and Concord. British agents were quick to exploit it. In December 1775, Samuel Dodge (a future Dutchess commissioner of forefeited Loyalist land) wrote to

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[52]Gilbert Livingston to Robert G. Livingston, Sept. 28, 1773, Gilbert Livingston Papers, N.Y.P.L.

[53]Beverly Robinson to James Duane, Sept. 9, 1766, Duane Papers.

[54]Robinson to Duane, May 3, 1772, Mar. 25 and May 8, 1773, <u>ibid.</u>

the president of the Provincial Congress: "There are several very officious Ministerial agents in the county, who have corrupted the minds of many of the ignorant and baser sort of men among us, maliciously telling them the Whigs were in rebellion; the King would conquer them, and their estates be forfeited; and if they take up arms against them, the King for their services will give them the Whigs' possessions."[55] In 1777 John Watts, a Dutchess landowner and a member of the Supreme Court which baffled the Dutchess tenants in 1766, wrote that "the counties of Albany, Dutchess and Westchester, in the province of New York, are in an absolute state of vassalage, being all tenants at will to Rensalear, Livingston, Beekman and Philipse"; a promise to make them freeholders "would instantly bring you at least six thousand able farmers into the field."[56]

All depended on who could carry out that promise first.

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[55]Samuel Dodge to the president of the Provincial Congress, Dec. 5, 1775, Journal of the Provincial Congress, II, 100.

[56]Quoted in Irving Mark, Agrarian Conflicts, 13.

CHAPTER IV

THE SEQUESTRATION OF LOYALIST LAND, 1777-1779

The preceding chapter examined the creation in the seventeen-sixties of a political party or grouping, based largely on tenant votes, to oppose the traditional dominance of the largest landed families. The present chapter examines the impact of the Revolution on this prewar political alignment. It shows how the county's radical and conservative political tendencies at first joined hands in common support of the war with England, but how, by 1779, the coalition had begun to split into its pre-Revolutionary wings over the issue of sequestration and sale of Loyalist lands. The issue of the Loyalist lands is the connecting link between Dutchess politics before and after the Revolution. It is the proof that in this county the concept of two-party continuity, far from being "mossy," is the only possible way to understand the politics of the Revolutionary area.

Looking back, it is easy to underestimate the meaning of the bill to sell Loyalist estates. No doubt the bill merely accelerated a long-run trend toward freehold tenure which, bill or no bill, would have triumphed in the end. As earlier noted, the percentage of freeholders in the adult male population of Dutchess County doubled in the generation between 1745 and the Revolution. Hard-bitten landlords like

Robert G. Livingston still sold off a farm here, a farm there, finding it more convenient to hold mortgages on freeholds than to try to control a tenant's management of the land.[1] In a continental economy with much land and few hands to work it, the neofeudal land system of the Hudson Valley could not have long survived. Quite apart from the Revolution, the flood of New England immigrants and the Yankee egalitarianism they brought with them would have swept it away--as McCracken observes, all the leaders of the pre-Revolutionary tenant riots were New Englanders.[2]

So it seems looking back. But to contemporaries, living through the event and making it, the law would seem to have had a more comprehensive symbolic significance. It was the first major breakthrough of the political revolution into social change; with this dike gone, who could tell how far the waters would spread? Only this fear can explain why in Dutchess County, as in the state as a whole, the struggle for the bill became a political watershed. "Thereafter," Allan Nevins writes, "the patriots were clearly divided into moderate and extremist factions. . . ."[3] And Spaulding confirms: "The Confiscation Act for the first time aroused a conservative Whig opposition to the extreme measures of the

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[1]"Only let the farm year to year because I will sell them both as soon as possible"; "If any body would be in earnest about it I would agree about the price for I had better sell them almost at any rate than to have them out for they want repairs" (Robert G. Livingston to Gilbert Livingston, April 6, 1773, and March 22, 1775, Gilbert Livingston Papers, Box 1).

[2]McCracken, Old Dutchess Forever, 224.

[3]Allan Nevins, The American States During and After

government."[4]

It is interesting to keep in mind the significance of confiscated lands in other revolutions. Marc Bloch writes of the French Revolution: "Consider the problem of the land confiscated during the Revolution. During the Terror, and reversing the earlier legislation, the government decided to sell it off in small lots without competitive bidding. . . . [What was it the men of the Year III hoped for?] Primarily, they hoped to favor the acquisition of the land by the little people of the rural areas . . . they sought the relief of the poor peasants, as a guarantee of their fidelity to the new order."[5] And Maurice Dobb says of the English Commonwealth: "It is remarkable what strong opposition was shown . . . not only by the House of Lords, but by the Presbyterian section in the Commons, and in particular by the leading merchants who composed the common council of the City of London, to the proposed sequestration of the estates of royalists and of bishops, and to the organized sale of delinquents' lands after sequestration had already been decided upon."[6]

The Landlord Leaves Politics

Even in the first days of the Revolution, the unity of

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the Revolution, 1775-1789 (New York, 1924), 268.

[4]Spaulding, New York, 1783-1789, 122.

[5]Marc Bloch, The Historian's Craft (New York, 1953), 141.

[6]Maurice Dobb, Studies in the Development of Capitalism (London, 1947), 172.

Dutchess Whigs was not altogether cordial. In the spring of 1775 the county divided, north and south as usual, over whether to support the state's illegal provincial congress. Early in April, the four northern precincts of Rhinebeck, Northeast, Amenia and Rombout chose as delegates (to the First Provincial Congress) Egbert Benson, Morris Graham, and Robert R. Livingston.[7] Benson was a prominent lawyer of northwestern Dutchess, and the future leader of the county's Federalists; Graham a large landlord in the northeastern part of Dutchess; Livingston was the chancellor-to-be already frequently encountered. An opponent at once protested that seven other precincts, containing three-fourths of the county's population, had opposed the election of delegates: Poughkeepsie and Charlotte by substantial margins, and the southern and southeastern precincts of Beekman, Pawling, Southeast, Fredericksburgh and Philipse "almost unanimously."[8]

The news of Lexington and Concord produced a temporary union of forces. The newspaper correspondent just quoted declared an epistolary truce: he did not wish to pursue the argument[9] further, for "a coalition of parties in the County of Dutchess will probably very soon take place."[10] It was the

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[7]Force, American Archives, Series 4, II, 304.

[8]Ibid.

[9]Force, op. cit., Series 4, II, 304-305.

[10]Ibid.

next day that a new ten-man delegation was chosen. It hardly represented a "coalition." Benson, Graham, and Livingston were excluded and replaced by a group including Melancton Smith, Ephraim Paine, Dirck Brinckerhoff, Gilbert Livingston, and Zephaniah Platt: the principal leaders of the Dutchess popular party down to 1788.[11]

The manner of electing these delegates was a revolution in itself. It was "the freeholders and inhabitants" of Poughkeepsie, the "inhabitants of Charlotte Precinct" who made these decisions; it was the "freemen, freeholders and inhabitants" of the county who were asked to sign the Association in support of the Provincial Congress.[12] The secret ballot was not yet; the election of May 1775 was by "a majority of voices," and a move to have delegates to the next Provincial Congress elected by secret ballot was defeated.[13] But it was universal manhood suffrage. The attempt to write this into the constitution of 1777 failed,[14]

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[11]Hough, The New York Civil List, 62-65.

[12]Force, American Archives, Series 4, I, 702; II, 304. Philip Smith, General History, 52. For what it may signify, the popular vote on the Constitution in 1788 was numerically identical with the figures for signers and nonsigners of the Association: 1,800 to 900 in each case (for the latter, see Force, American Archives, Series 4, III, 597-607).

[13]Ibid., Series 4, II, 834-835; Becker, History of Political Parties, 227.

[14]McCracken, Old Dutchess Forever, 419. The draft of the 1777 constitution in the Abraham Yates Papers, New York Public Library, requires of an elector of assemblymen only that he be over twenty-one, a freeholder, a resident, and a taxpayer.

and the property qualification was not waived again until the election to the state ratifying convention in 1788, nor in the regular elections of New York until the 1820's.

The Dutchess delegations to the Second and Third Provincial Congresses and the Provincial Convention, in the years 1776-1777, showed a conservative trend. Morris Graham was back in the second and third congresses; Robert R. Livingston in the third congress and the convention; Egbert Benson became chairman of the County Committee of Safety. Included also were some of the county's most aggressive landlords: Beverly Robinson in the second congress, Robert G. Livingston in the same, and ex-sheriff James Livingston of 1766 notoriety in the third congress and the convention.[15] Their selection reflects the fact that new delegates were in some cases coopted rather than truly elected. Thus Jay wrote Robert R. Livingston: "I shall inform the members of Duchess of your readiness to serve, and advise them to elect you."[16]

At this time even the popular leaders lagged behind rank-and-file sentiment. At the Provincial Convention, future Anti-Federalists Gilbert Livingston and Zephaniah Platt voted for a £20 freehold requirement for Assembly electors, and against making the secret ballot obligatory after the war. They joined Robert R. Livingston on both these divisions.[17] In June 1777, Zephaniah Platt, Christopher Tappen and Charles DeWitt joined John Jay and Mathew Cantine in urging the nomination of Philip

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[15]Hough, The New York Civil List, 62-65.

[16]John Jay to Robert R. Livingston, May 29, 1776, Correspondence and Public Papers of Jay, I, 64-65.

[17]Journal of the Provincial Congress, I, 867, 891-892.

Schuyler for governor.[18] Presumably this nomination represented the "coalition of parties" mentioned earlier. The voters of Dutchess, however, rejected it, giving George Clinton a 206-132 margin over Schuyler in a light poll.[19] To the surprise and consternation of many, not least of Schuyler himself, the popular party took over the government of the state.

Clinton's election, as stated in Chapter I, was a watershed in the politics of the state as a whole. It was equally important in Dutchess County. William Smith was told that resentment toward the Livingstons was the dominant passion behind the vote. Philip Schuyler, he noted just before the elections, "says Ulster and Dutchess are jealous of the Livingstons who have already got all the valuable Places and that they will not vote Ph[ilip] L[ivingston] for Govr. . . ."; another informant told him that "the People of Dutchess and Ulster were perswaded in chusing a Govr. to name no Livingston nor any in Connection with that Family & hence Clinton was preferred to Jay & Schuyler."[20] Changes in electoral procedure enabled this sentiment to express itself. All previous Dutchess elections had been held at the county seat, whereas the Convention instructed that this election should be held at five different points in the county.[21] Still

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[18] Jay, DeWitt, Platt, Cantine and Tappen to George Clinton, June 2, 1777 (Clinton, Public Papers, I, 855-856).

[19] Professor Alfred Young of Paterson State College kindly made these returns available to me.

[20] William Smith, Historical Memoirs, 151, 326.

[21] See Becker, History of Political Parties, 227, 252; Journal of the Provincial Congress, I, 918.

more important in making the electoral process available to the poor voter was the introduction, at least in the precinct of Rhinebeck, of the secret ballot. Radical politicians John Morin Scott, Thomas Tredwell, Charles DeWitt had fought in vain for the secret ballot in all elections at the state constitutional sessions.[22] But, according to William Smith, Melancton Smith as election inspector in landlord-dominated Rhinebeck[23] took advantage of ambiguities in the convention's instructions to insist on a secret ballot.[24]

Melancton Smith was in a position to supervise election procedure because he had just been appointed Dutchess County sheriff. He who doubts that the American Revolution was a social movement should ponder the substitution of Smith and Ephraim Paine, a former store clerk and a former farm hand, for the landlords Philip Livingston and Beverly Robinson as sheriff and chief judge of Dutchess County. Nor were they - as J.H. Hexter has argued against the Tawney thesis in England[25] - exceptional cases. Between 1777 and 1788 not one member of the old ruling families held an important appointive or elective position in Dutchess County.[26]

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[22]William Smith, Historical Memoirs, 121, 128, 157.

[23]The presence of many landlords and the hierarchical social atmosphere, described earlier, resulted in frequent pressure on tenants at Rhinebeck elections. For instances, see my "Anti-Federalism in Dutchess County," Chapter I, n. 26.

[24]William Smith, Historical Memoirs, 159-160.

[25]J. H. Hexter, Reappraisals in History (Evanston, 1961), 121-122.

[26]Hough, The New York Civil List, 62-65, 74, 109-111, 122-130, 183-193, 420, 446, 457.

After Clinton's election, landlords in Dutchess ceased to seek election. Robert G. Livingston, one of the Dutchess delegation in the Second Provincial Congress, became a passive Tory, and when the British fleet sailed up the Hudson to Kingston and burned the manor houses of Rhinebeck, Livingston's was left conspicuously untouched. Beverly Robinson, a delegate at the same congress, became an active Tory, an officer in the British Army. His house was Benedict Arnold's base of operations in the spring of 1780.

Robert R. Livingston remained solidly Whig, but he like the landlords who turned Tory was excluded from the New York legislature. If the election of 1708 signified the emergence of an effective opposition to landlord candidates, the election of 1777 ushered in a time when landlords (at least in Dutchess) did not dare to run for office in person but operated through others. Thus in Dutchess, as will appear below, Egbert Benson became Livingston's representative in the Assembly, until in 1781 Benson himself was unseated by the democratic movement. Characteristic of Livingston's new indirect mode of operation was such a letter as this to Jay: "many preparatory steps were taken to produce a change in the delegations which will take effect shortly."[27] As Becker so well put it long ago: "The great families, the traditional leaders, found it necessary . . . to modify their methods of political management.

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[27]Robert R. Livingston to John Jay, Apr. 20, 1779, Robert R. Livingston Papers. On Livingston's dilemna, see Dangerfield, Chancellor Livingston, Part II, Chapters III and IV, and in particular the apt summary comment: "One has simply to remark how difficult it was for a man brought up in the politics of privilege to adjust himself all at once to the politics of opportunity" (88).

The personal relation, as a means of holding the voters in line, was replaced by appeals to the voters' intelligence or interest, in the form of public letters or resolutions setting forth the principles for which the candidate stood."[28]

Early in the Revolution, therefore, the coalition patched together after Lexington and Concord showed signs of strain. In February 1778, William Smith declared in his diary that there was "a Severance between the Popular & the landed Interest and they will mutually pull each other down."[29] Yet Smith himself helps to supply the reason that the coalition held together as long and as well as it did. In good part, of course, the British army welded a unity between Robert R. Livingston and the popular politicians he privately denounced as wicked and ignorant.[30] Another unifying pressure was the threat of unrest from below. The Whig leaders of Dutchess, Smith wrote in 1776, had "a general Suspicion of the lower Classes of the People."[31] At times it seemed that the county's Revolutionary leadership would exhaust all its energy in restraining popular discontent, and have none to spare for the redcoats. "We have always thought," Egbert Benson commented at one point, "we should be happy if we were capable of combating our internal foes, and leave those from without to be resisted in some other way."[32]

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[28]Becker, History of Political Parties, 17.

[29]William Smith, Historical Memoirs, 280.

[30]See, e.g., Livingston's letters to Gouverneur Morris, Aug. 3, 1777, Jan. 1778, Jan. 29, 1778, and Apr. 5, 1778, Robert R. Livingston Papers.

[31]William Smith, op. cit., 27.

[32]Egbert Benson to the New York Provincial Convention, July 15, 1775, Journal of the Provincial Congress, II, 309.

As the war dragged on, future Federalists and Anti-Federalists labored together on dozens of overlapping Revolutionary committees in Dutchess. Striving to cope with an endless series of administrative emergencies, they increasingly found themselves attacked from behind by a mixture of outright Toryism and Whig discontent. The discontent centered in three areas: the militia, the cost of living, and the land.

A Disgruntled Militia

From the beginning, conservative Whigs had seen in the militia a threat to their control. James Duane wrote to Robert R. Livingston in 1775:

> I am much pleased that young Mr. Livingston is raising a company in the Manor. I wish he may extend his views further, in the only plan, which, independent of the grand contest, will render landed property secure. We must think in time of the means of assuring the reins of government when these commotions shall subside. Licentiousness is the natural object of civil ["war" crossed out by Duane in the manuscript] discord and it can only be guarded against by placing the command of the troops in the hands of men of property and rank who, by that means, will preserve the same authority over the minds of the people which they enjoyed in the time of tranquility.[33]

But the men of property and rank did not control the militia in Dutchess. The three large landlords of south Dutchess--Philipse, Morris, and Robinson--were all Loyalists. It is true that the well-to-do Morris Graham and Richard D'Cantillon were lieutenant colonel and major, respectively. But Dirck Brinckerhoff, the popular assemblyman elected in 1768, was

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[33]James Duane to Robert R. Livingston, June 7, 1775, Livingston-Redmond Manuscripts, F.D.R. Library.

also a colonel; and Brinckerhoff's friend Jacobus Swartwout,[34] one of the two Dutchess delegates to vote against the Constitution in 1788, rose from colonel to general to be the highest-ranking officer in the county. These higher officers were appointed at a county or state level. From the rank of captain down, militia officers were elected by the common soldiers. In Dutchess the lower officers so chosen were a mixed bag of future Federalists and Anti-Federalists, many of whom by virtue of their popularity would represent Dutchess in the Assembly in the seventeen-eighties.[35]

If the officers were uncertain, the men were much more so. Egbert Benson wrote to the Provincial Convention on July 15, 1776, that of the four hundred militiamen in Rhinebeck, one hundred had been disarmed for suspected disloyalty, and he doubted whether there were two precincts in the county with less disaffection.[36] The reason for the soldiers' dissatisfaction is not far to seek. A militia colonel received seventy-five dollars a month, a private six dollars and sixty-six cents.[37] In August 1776, Zephaniah Platt wrote to

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[34]Swartwout was a near neighbor of Brinckerhoff's, second to him in responsibility for the Rombout Committee of Safety, and one of the executors of his will (Reynolds, Eighteenth Century Records, 89).

[35]Philip Smith, General History, Appendix A, 477-481. Listings of rank must be used with care because men changed their rank so often.

[36]Force, American Archives, Series 5, I, 355-357.

[37]Johnson, Colonel Henry Luddington, 62. This source provides a good picture of the organization of the militia in Dutchess.

the Provincial Convention that "there is great complaints amongst the troops concerning this bounty, many of them having no money to purchase necessaries, having left at home what little they had for the use of their families."[38] George Clinton wrote to the Continental Committee of Safety a year later:

> The continental pay and rations being far below the wages given for ordinary labor the difference becomes a tax rendered by personal service and as the train band list (from the exemptions arising from age, office and other causes) consists chiefly of the middling and lower class of people, this extraordinary tax is altogether paid by them.[39]

The extraordinary tax bore with particular severity on the poor tenant militiamen of south Dutchess. In this area every militia officer was a tenant.[40] Their colonel, Luddington, wrote to George Clinton on May 1, 1781:

> At best the regiment are very poor when compared with other regiments and are called on to raise an equal number with the others, when I can affirm that ten farmers in Col. Brinckerhoff's regiment is able to purchase the whole of mine. In this unequal way, I have been obliged to turn out of my men until they are so much impoverished that they almost despair.[41]

This was written in 1781. But as early as the spring of 1777, the three commissioners for detecting conspiracies, Swartwout, Benson, and Smith, were

> laboring to enforce discipline among mutinous and rebellious members of the militia, especially in

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[38] Journal of the Provincial Congress, II, 279.

[39] Johnson, Colonel Henry Luddington, 95.

[40] Luddington to Clinton, February 20, 1778, quoted in Ibid., 107.

[41] Ibid., 178.

> Colonel John Freer's regiment which was the Poughkeepsie Regiment and in Colonel Henry Luddington's regiment in the southeastern part of the county. Much of the trouble was doubtless due to the failure on the part of the militia members to receive the bounty due them from the State.[42]

In the same spring, special three-man commissions visited the most heavily tenanted areas, Livingston Manor in the north and Philipse Patent in the south, to search out disloyalty. On May 8, Zephaniah Platt, Mathew Cantine, and Robert R. Livingston reported to the Provincial Convention of the State of New York that on the Livingston Manor almost everyone was disaffected, especially in the eastern part.[43] At the same time a traveler reported to William Smith that "the Drafts in Dutchess were few and would not serve [because] the People were wore out last year. Those in the Army lost the opportunity of seeding their Ground and were now starving for Bread."[44]

The Provincial Convention which heard these disquieting reports in early 1777 was also attempting to draft New York's Revolutionary constitution. Abraham Yates, Jr., of Albany, antiquarian and future Anti-Federalist, believed that discontent in the militia had much to do with the democratic features of the new government. "The Yeomanry of the Country," he wrote, "were wanted to fight and the Militia Duty which equally affected the poor and the rich (a Man of

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[42] "General Jacobus Swartwout," 68.

[43] Johnson, Colonel Henry Luddington, 141.

[44] William Smith, Historical Memoirs, 119. Robert R. Livingston reported to William Duer on July 3, 1778, that militia service caused low wheat yields both in 1777 and 1778, and "the plough stands still" (Robert R. Livingston Papers).

£10 had the same Duty as the one of 10,000) upon the Principal of Personal Service was Become very Burthensome to the yeomanry and if the Rich Intended the other should continue to fight for there [their] Estates it was Necessary to show that they did not make any Difference but w[h]ere it was unavoidable."[45]

This is a side of the Revolution too often forgotten. If for government contractors like Melancton Smith and Mathew Patterson the Revolution meant one swift bound from obscurity to riches, for many common soldiers like those described in the following memoir it meant impoverishment.

> Many who served in the ranks were industrious men who had acquired a little foothold in life and owned small farms. The colonists were straitened for means wherewith to carry on the war, and pay for the soldiers was uncertain and slow in arriving. Some served for years without being able to draw their small pay, and meantime their families at home were getting deeper and deeper in debt for their necessary subsistence.
>
> When the war ended and they at last received their pay it was in continental currency which at once became worthless. By this means the men who had done patient duty in the army for years returned home only to lose their farms and homesteads, and discouraged by their losses and by the general confusion in political and industrial affairs, many lost hope and courage and drifted into vagrancy.

"My mother," continues the writer, an Amenia resident,

> was born in 1800, and she often recalled that during her early life there were many tramps of a certain type travelling the country roads . . . . Rarely or never were their requests for food, drink, or lodging denied, for it was well known that they were old Revolutionary soldiers impoverished in the wars.[46]

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[45] "Notes on Early History of New York, etc.," Yates Papers, N.Y.P.L.

[46] Charles E. Benton, Troutbeck: A Dutchess County Homestead (Poughkeepsie, 1916), 14-15.

The distress of Dutchess militiamen is suggested by the frequent advertisements for the apprehension of deserters which appeared in the New York Journal and New York Packet (New York City newspapers published during the Revolution in Poughkeepsie and Fishkill, respectively).

Price Control

In these newspapers one finds also the story of the second great popular grievance in Revolutionary Dutchess: the high cost of living. As early as December 1776, Henry Luddington and others wrote to the Council of Safety inveighing against the "wicked, mercenary intrigues of a number of ingrossing jockies, who have drained this part of the state of the article of bread to that degree, that we have reason to fear there is not enough left for the support of the inhabitants."[47] Discontent on this score became acute in 1779, when the continental currency depreciated from about one-eighth the value of specie to about one-fortieth. The resulting inflation is suggested by figures in the papers of the Dutchess Commissioners for Sequestration[48]: a Negro slave girl sold for £50 on December 23, 1777, and for £3,080 on October 5, 1780; on August 16, 1780, a pair of oxen was sold for £1340.

Throughout America the public expressed its indignation

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[47] Journal of the Provincial Congress, II, 355.

[48] N.-Y.H.S. These papers are much used in the remainder of this chapter. Acquired by the Society only in 1950, they were not available to Spaulding, Yoshpe and other previous students of the disposition of Loyalist lands in the state of New York.

at the rising cost of living by reviving the local committees of the first days of the Revolution. Robert R. Livingston complained of a price regulating committee in Albany County in August 1777. "Tho they have not been followed by the other counties," Livingston commented, "yet they have excited a spirit that will be troublesome."[49]

Committees to regulate prices were supported even by farmers, who feared that runaway inflation would turn the money received for their produce into worthless paper. "At length," wrote a correspondent to the New York Packet in July 1779,

> is the virtuous part of the community alarmed, and the old and true friends to their country again step forth to remedy evils the laws cannot reach, by the exertion of Committees, the terror of all villains . . . . As soon as the authority of your Committees ended, knavery shewed its head, villains of every class came forth and practiced with impunity . . . . Let no time be lost then, my countrymen, in forming your Committees.[50]

The committeemen reasoned that if local scrutiny and extra-legal direct action could be brought to bear, inflation might be checked.[51]

The Dutchess committees were inspired by the example of Philadelphia, whose price-fixing committee called in July for the formation of local committees "in every state and county."[52] Within a week, Rombout Precinct had set up a com-

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[49]Robert R. Livingston to Gouverneur Morris, Aug. 8, 1777, Robert R. Livingston Papers.

[50]New York Packet, July 15, 1779.

[51]The price-fixing movement in the various states and in the Continental Congress is described by R. B. Morris, "Labor and Mercantilism in the Revolutionary Era," The Era of the American Revolution, ed. R. B. Morris (New York, 1939), 76-139.

[52]New York Packet, July 15, 1779.

mittee with future Anti-Federalist Jacobus Swartwout as chairman.[53] This committee developed a policy of requiring traders to buy goods at prices fixed by the committee, and to sell them at designated rates of profit after invoices had been exhibited to the committee or its chairman.[54] Early in August a committee was formed in Poughkeepsie Precinct, the chairman being future Anti-Federalist Gilbert Livingston.[55] The same month, Petrus DeWitt (father of Anti-Federalist John DeWitt) chaired a county-wide meeting which resolved to "dilligently inquire into the conduct of all public officers."[56]

Thus of the three chairmen of these committees whose names are known, two were Anti-Federalist delegates to the state ratifying convention in 1788 and the third was a delegate's father. The fact that the Dutchess County movements for price-fixing, land confiscation, and Anti-Federalism were led by the same men, argues powerfully in favor of two-party continuity.

Land Sequestration

In the same issues of the 1779 papers which told of price-fixing committees starting up in Philadelphia, Boston, and Williamsburg, Dutchess farmers read of the confiscation of Loyalist estates in Pennsylvania, New Jersey, and Vermont.[57] Early in the year there appeared an exchange of letters as to

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[53] New York Journal, July 19, July 26, 1779.

[54] New York Packet, Sept. 16, 1779.

[55] New York Journal, Aug. 9, 1779.

[56] Ibid., Aug. 16, 1779.

[57] New York Packet, May 21, July 1, Sept. 2, 1779.

why the estate of Dutchess Tory Thomas Lewis had not been sequestered.[58] Then in May a correspondent signing himself "Country Man" made an impassioned pre-election appeal which underlined the political significance of the Loyalist land issue. Many other states, he declared, had passed acts confiscating Loyalist lands.

> It is a matter of the highest regret to great numbers, I might say to the people in general of this State, that similar proceedings have not taken place here, particularly that the confiscation bill was not passed into a law, the last session of Assembly. The public are impatient to know through whose means the completion of that most necessary and important bill was obstructed and put off, tho' they hope it will be one of the first works of the next session. We are also uneasy that the votes of the Legislature are not published, at least in time for us to know before every new election, by the votes of the old one, in what manner they have acquitted themselves, and how well they are entitled to our future choice, which surely no one can have the least pretension to who voted against the confiscation bill.[59]

The movements for price-fixing and for confiscation had a natural relation, for confiscation was widely regarded as an alternative to printing still more currency. In August, the price-fixing committee of Poughkeepsie Precinct called for "the immediate confiscation and sale of forfeited estates."[60] October 1779, when the New York legislature enacted the permanent confiscation (though not yet the immediate sale) of Loyalist estates, was also the month when national resentment against profiteering reached a climax in the "attack on Fort Wilson" in Philadelphia. The New York Assembly of early 1780, which passed

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[58] New York Journal, Jan. 11, Feb. 1 and 15, 1779.

[59] Ibid., May 17, 1779.

[60] Ibid., Aug. 9, 1779.

legislation for the sale of confiscated estates, had been specially convened by Governor Clinton for the purpose of dealing with price-fixing proposals, and responding to "the Sense that your Constituents loudly express of the Necessity of applying some suitable Remedy to this growing Evil."[51]

The demand in 1779-1780 for the confiscation, and then the sale, of Loyalist land, succeeded a period from 1777 to 1779 when Loyalist property had been forfeited or sequestered. In all these stages the problem of Loyalist property was most acute in southern Dutchess, the scene of the tenant rising of 1766. For here all three landlords became open Loyalists, and Tory sentiment among the tenants was strong also: in 1778, an informant told William Smith that the neighborhood of Quaker Hill, where the 1766 rioters had made their final stand, was forty-to-one against independence.[52] If in neighboring Livingston manor the tenants, also inclined to Toryism, remained so throughout the war (see Chapter I), in Dutchess County where the landlords were Loyalist there was a strong incentive to espouse Whiggery in order to obtain the land. Once it seemed likely that the patriots would win, south Dutchess sentiment swung to support the Revolution in the hope that a confiscation law would be passed.

These much-troubled highlands of south Dutchess were the southern boundary of the area controlled by the New York Revo-

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[51]Speech of Aug. 24, 1779, Clinton, Public Papers, V, 210.

[52]See in confirmation of the Tory sentiment in south Dutchess: n. 8, above, and Nathan Pearce to the Provincial Congress, Jan. 5, 1777, Journal of the Provincial Congress, I, 706-707.

lutionary government. Fishkill became a major supply depot for the Army; it was to Fishkill that, after the Battle of White Plains, the corpses were brought back to be stacked like cordwood in the streets. John Jay was only the most prominent of the refugees from Westchester and other southern counties who streamed into the highlands, often with little more than the clothes on their backs. One of these refugees, John Campbell, wrote to a Dutchess commissioner of sequestration in 1780 that "those two families have twelve children the oldest not eleven years old and to my knowledge one of those families have been six weeks this winter without bread - and when the small remains is gone I brought out of New York this must be my situation unless you relieve me."[63] This influx of patriot refugees threatened in 1778-1779 to deprive the long-suffering tenants of even the leaseholds they possessed.

Both the influx of refugees and the departure of Tories built up pressure for public management of Loyalist property. "Almost in every quarter of the county," Egbert Benson and Melancton Smith stated in March 1777, "the estates of persons now with the enemy, are daily sold and wasted without any method to secure them, either for the public or their creditors."[64]

In that same month, the Provincial Convention sought to deal with the problem by creating commissioners of sequestration for each county.[65] The commissioners were empowered, first, to

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[63]John Campbell to Theodorus Van Wyck, Jan. 31, 1780, Papers of the Commissioners of Sequestration - Dutchess County.

[64]Journal of the Provincial Congress, II, 407.

[65]For the steps leading up to this legislation, see Harry B. Yoshpe, The Disposition of Loyalist Estates in the Southern District of the State of New York (New York, 1939), 13-15.

sell the personal effects of Loyalists at public auction, and second, to lease the lands of Loyalists "under moderate rent from year to year to persons friendly to the cause of America," giving first priority to refugees.

Their discharge of the first task does not concern us here.[66] In the second area, the commissioners felt their way into a far more difficult task. In some Loyalist families the head of the house had fled, leaving his wife and children on the farm; should they then be dispossessed?[67] The commissioners had no clear instructions as to how much rent to charge.[68] They were uncertain whether they could

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[66]It was an unending headache. The items involved were "one mare and sucking colt the property of Richard Vanderburgh on the farm of Wines Manny . . . Charles Davies of Beekmans has a quantity of wheat at Elijah Townsends," etc. The goods were sold at public vendue, one precinct at a time, usually by the commissioners themselves (Papers of the Commissioners, e.g., "Memorandum of Tory Goods"; "The Property of Beverly Robinson sold at vendue at the house of Peter Bogardus, Nov. 24, 1777," Hugh Rea to Commissioner Sheldon, December 10, 1777, and Commissioner Van Wyck to Commissioner Livingston, December 13, 1777). Alexander Flick, using manuscripts since destroyed by fire, states that between 1777 and 1780, £24,694 was realized from the sale of the personal property of 262 Dutchess Tories; by May 1783, the total was £99,771 (Loyalism in New York During the American Revolution [New York, 1901], 141-142).

[67]An official in Ulster wrote to Clinton, May 8, 1778, about the work of the Ulster commissioners: "They say they have not rented any as yet, and they choose not to do it, as there is women in them, I understand the Commissioners for Dutchess County has rented such farms" (Clinton, Public Papers, III, 282-283).

[68]The Dutchess commissioners wrote to Clinton on March 16, 1778: "Your memorialists have put numbers of well affected refugees inhabitants of this state into the possession of lands and tenements deserted by the former disaffected proprietors. As yet your memorialists have stipulated with but very few of the refugees aforesaid, what rent they shall pay for the lands and tenements they

lease farms, perhaps belonging to an absentee Whig landlord, from which a Tory tenant had departed.[69] On the one hand, they faced protests from men who had left but later returned; Thomas Lewis, whose case was mentioned earlier, wrote to say he had read in the newspaper that his property was to be sold and that justice had certainly miscarried, inscribing his letter, "Poughkeepsie Gaol, Dec. 16, 1778."[70] On the other hand, a precinct committee of safety might remonstrate that the most deserving candidates had been passed over by the commissioners:

> Whereas it is reported that you have let to Mr. John Vredenburgh the farm whereon John Karl formerly lived who is gone off to the enemy, and is now in possession of Lieutenant Furness Knickerbocker; as the right of soil belongs to Mr. Peter Van Benthuysen, the committee of said precinct is not clear whether said place is let by you or Mr. Benthuysen, however that be, said committee beg leave to inform you that Mr. Vredenburgh is not a friend to the cause of America, he only pretends to be neuter, and has already a good house which he occupies, and does not want the other place, unless it be to make gains by, and Lieutenant Knickerbocker . . . has no other place for himself and family than

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occupy. Your memorialists wish to have pointed out to them, what proportion of the highest rent they could obtain from others, for lands and tenements above described, the said refugees should pay" (<u>ibid.</u>, III, 45-46; the draft of this letter is in Papers of the Commissioners).

[69]Egbert Benson, whom the commissioners consulted on doubtful points of law, wrote to Commissioner Livingston on August 3, 1780: "The law has not pointed out any mode to the Commissioners for inquiring into titles, and . . . consequently possession must be to them sufficient evidence of right," except in the case of tenants "notoriously tenants only for a year or other short term and having no kind of interest in the improvements" and in the case of tenants whose leases would expire in less than a year (Papers of the Commissioners).

[70]<u>Ibid.</u>

> the place which the said Karl left, wherefore this committee recommend Lieutenant Knickerbocker to your justice and favor, and it is the sense of this committee he ought of right to have the preference of said place of which he now is in possession.[71]

In pursuing their difficult assignment, Commissioners Sheldon, Van Wyck, and Livingston stepped into the shoes of the former landlords. They gave leases, with the usual clause forbidding waste.[72] They dispossessed squatters[73] and prosecuted for nonpayment of rent.[74] Since the law stipulated one-year leases, their tenants had each year to seek anew a continuation of leases. Wilhelmys P. [last name illegible] wrote to the commissioners, December 21, 1779:

> As the time I agreed for the place whereon I now live will expire in a few months I take this early opportunity to know whether I can have it for another year and should be glad you would let me know it soon, that I may have time to look elsewhere in case I cannot stay where I now am.[75]

A glimpse of daily life on a farm leased from the commissioners of sequestration is afforded by the account book of the New York City refugee, Jonathan Lawrence.[76] Lawrence

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[71]Peter Heermance, chairman of the Rhinebeck Precinct committee, to the commissioners, March 10, 1778, ibid.

[72]Undated lease to Thomas Jenks of Charlotte, ibid.; New York Journal, April 5, 1779.

[73]Van Wyck to Livingston, June 30, 1779, Papers of the Commissioners.

[74]Van Wyck to Livingston, June 5 and 6, 1779, ibid.; New York Journal, January 11, 1779.

[75]Papers of the Commissioners.

[76]Lawrence Papers, N.-Y.H.S.

"hired" the farm of Daniel Attwater from the commissioners for the year May 1779 to May 1780 (in Dutchess County, elections, town meetings, and the payment of rent took place in the spring). One fourth of the farm Lawrence sublet to his nephew John. In the first spring he planted seventeen bushels of corn, seven bushels of potatoes, and two-and-half bushels of buckwheat; the expenses included "1 gallon rum for our plowing frolic." During the summer he paid sums of fifty and thirty-three dollars to soldiers for hoeing his corn and working on his hay. On October 16 he put in the main Dutchess crop, sixteen bushels of wheat. Meantime he pastured "4 Continental Horses" two weeks for the commissary of hospitals. Next spring he changed his crops to flax, rye, and oats. Taxes for the year were sixty-six pounds, rent sixteen pounds.

The commissioners appear from their records to have attempted to prevent speculators from abusing a law designed to aid refugees. Had they been paragons of justice, however, they could not easily have avoided the charge of favoritism. Leases, unlike the personal effects of Loyalists, were disposed of not at auction but through private application. Often a would-be tenant asked a member of the Revolutionary committee in his neighborhood to write the commissioners on his behalf. A letter from Hugh Rea, chairman of the Northeast Precinct committee, to Commissioner Sheldon, illustrates the difference between the methods of disposal of the two kinds of property. Rea inclosed the inventory of "the personal estates of those that has

absconded to the enemy last summer out of this precinct." He urged that they be sold as soon as possible. He said that he could put the movables except the livestock in one safe place, but could not bring together the livestock, as forage was scarce and no one was willing to pasture all the cattle. Rea concluded that the bearer of the letter wished "to hire John Peter Rows place of you, and I would be glad you would assist him in getting it by speaking to the rest of the Commissioners for him."[77]

But the unfairness of the leasing system was more than a matter of favoritism in renting vacant farms. In some cases the commissioners dispossessed an existing tenant to make room for a refugee. How many tenants, one wonders, received letters like the following?

> Messrs. John and Thomas Campbell, Thomas Cahly and Elvin Valentine, refugees from the enemy, have made application to us for the mills, and houses and farm appertaining to the same, and as we are particularly instructed to give refugees the preference we have given those gentlemen our promise, that they may possess the aforementioned premises this present year.
>
> These are therefore to give you notice, that you are to remove.[78]

To James Cox, who received the commissioner's letter, the spirit of '76 may have suddenly seemed less important, and the spirit of '80 more real.

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[77]Rea to Sheldon, December 10, 1777, Papers of the Commissioners.

[78]Van Wyck to James Cox, January 20, 1779, <u>Ibid.</u>

CHAPTER V

THE CONFISCATION OF LOYALIST LAND, 1780 AND AFTER

The cumulative financial crisis which bore so heavily on the common people also produced an urgent demand for new sources of funds for the army. In the winter of 1779-1780, these two causes combined to push the legislature to the confiscation of Loyalist lands.

Looking back years later on the hardships of those days, a group of Dutchess tenants recalled that while some had fled to the enemy, they themselves had "remain'd stedfast on . . . determined to defend the right of our Country as well as our Property." They had suffered particularly, they said, from the nearness of the troops, "who were constantly Cantoned & encamped around us, notwithstanding our willingness at all times to supply their reasonable wants but how inadequate was our little property to the Support of an Army often hungry, Naked and distressed for the necessary Comforts of life, which consequently, at times, by living so contiguous to them Reduced us to the same predicament."[1] Other tenants, less patient, simply withheld their rents, or (rather than accept the worthless quartermasters' certificates) left their wheat unground.[2]

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[1]Petition of tenants on the "Water Lots," Sept. 6, 1784, New York Assembly Papers, XXVI, N.Y.S.L.

[2]See R. R. Livingston to the Trustees of Kingston, Mar. 1, 1788, R. R. Livingston Papers; and the advertisements of Robert G. Livingston in the New York Journal, Jan. 4 and Aug. 16, 1779, and the New York Packet, Aug. 19 and Sept. 2, 1779. For wheat left on the ground, R. R. Livingston to John Penn, Jan. 28, 1780, R. R. Livingston Papers.

Protest had begun with the accusation of individuals. Thus the chairman of the Rhinebeck Committee of Safety complained of a local speculator debasing the currency, and of Robert Livingston, Sr., racing horses and charging high prices for his iron.[3] And "the petition of the freeholders and inhabitants of Dutchess County" told the state legislature that speculators were selling provisions to the enemy for specie and refusing to sell to Whigs for paper currency, and were, therefore, "a vile set of Men whose God is their Gain."[4] It was this spirit, as described earlier, that underlay the recreation of committees in the summer of 1779.

But along with resentment toward individuals arose the demand for confiscation of land. This was a program which, if just as simplistic as price-fixing, cut much more deeply into the social fabric. In October 1778, 448 Dutchess inhabitants petitioned the Assembly for a confiscation bill, warning that

> the delay of this act to another session is big with uncertainty of its passing at all, and therefore of the most dangerous consequences to this state. Especially as it will occasion universal uneasiness and in all probability produce tumults and insurrections, and tend to a domestic tyranny and confusion as much to be dreaded as the evils brought upon us by our connections with Great Britain.[5]

A year later, a group of tenants dispossessed by Beverly Robinson in the '50's sent to the legislature a petition, now much charred and barely-legible, which rehearsed the particulars of their misfortune and put forward a claim to their inheritance.

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[3]Herman Hoffman to the President of the New York Convention, Mar. 17, 1777, and Jacob Heermance to the President of the Council of Safety, Nov. 21, 1777, Jour. Prov. Cong., II, 409, 457.

[4]"The Petition of the Freeholders and Inhabitants of Dutchess County," n.d., N.Y.S.L.

[5]Quoted in Johnson, Henry Luddington, 153-156.

They had, they wrote,

> settled a wild uncultivated Tract of Land . . . and turned it into comfortable Habitations [with an] Expectation of Reaping the Benefit, and enjoying [the fruits of] their Labour and Toil in the Decline of Life; being [confident] . . . that whoever should be the proper Owner . . . would have Justice Goodness and Compassion . . . to allow them the Priviledge of enjoying those Habitations [and] Farms which they had made comfortable and in some measure profitable by the sweat of their Brows, upon their paying an equitable and reasonable Rent. But contrary to this . . . as soon as their farms were in any measure made comfortable convenient or profitable by their Industry, one Beverly Robinson instigated by his associates Philip Philipse and Roger Morris, and assisted by a Banditti of Kings Troops . . . in the Year 1766 . . . obliged them to quit their Houses and Farms and commit themselves naked unto Providence.

Therefore they desired the legislature "to enact such Laws or adopt Measures as may effect the Restoration of these your Petioners."[6]

In September 1779, when this petition was written, a formidable tremor of unrest was shaking the ground beneath the feet of the Whig leaders. "The people have become very licentious," Robert R. Livingston's brother-in-law complained in December.[7] In the same month Livingston's mother capped a complaint about oppressive taxes with a prayer for "peace and Independence and deliverance from the persecutions of the Lower Class who I forsee will be as dispotic as any Prince (if not more so) in Europe."[8] The challenge was clear: the two groups of Whig leaders, radicals and conservatives, responded with a character-

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[6]Petition of Simon Calkins and others, Sept. 2, 1779, New York Assembly Papers, XXVI, N.Y.S.L.

[7]Thomas Tillotson to Robert R. Livingston, Dec. 13, 1779, Robert R. Livingston Papers.

[8]Margaret Beekman Livingston to Robert R. Livingston, Dec. 30, 1779, <u>ibid.</u>

istic difference.

The response of the conservative leaders to the popular movement for price-fixing and confiscation was unambiguous hostility. One and all they condemned price-fixing as dangerous meddling with private enterprise. "Is it possible my friend," stormed Gouverneur Morris, "that the State of New York can thinkof passing a regulating Act. How hath this madness got hold upon them."[9] Future Federalist John Sloss Hobart commented: "The liberty of acquiring property is, probably, the greatest incentive to action in the whole moral system . . . . Man is, by nature, a lazy beast . . . . Exert yourself therefore to prevent our resolves [the resolves of the Hartford Convention of 1779 favoring a general limitation of prices] from obtaining the sanction of congress, let there be no convention at Philadelphia."[10] Another future Federalist, Egbert Benson of Dutchess, agreed: "A regulating scheme has not been attempted anywhere in the State except at Albany . . . . It is amazing that people should still pursue a system so evidently futile and absurd. I sincerely wish the limitation may be limited to Albany. I possibly am in the opposite extreme and so far from reducing prices agreeable to the plan, I think the Embargo Act [affecting wheat sent out of the state] ought immediately to be repealed and our farmers indulged with an opportunity of carrying their produce to the highest market."[11]

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[9]Gouverneur Morris to Robert R. Livingston, May 27, 1778, Livingston-Bancroft Transcripts, II, N.Y.P.L.

[10]John Sloss Hobart to same, Nov. 15, 1779, Robert R. Livingston Papers.

[11]Egbert Benson to John Jay, July 6, 1779, Correspondence and Public Papers of Jay, I, 213-214.

Gouverneur Morris in particular was outspoken as to the infamy of government interference with private enterprise. Price regulation, he declared, "gave a Woeful Impression of the new Governments by laying down a Violation of the Rights of Property as the Corner Stone on which they were to be erected."[12] In another of his many essays on financial topics, this American Adam Smith stated: "In the Fluctuations of human Affairs, the Principle of self Interest is like the Power of Gravity to Fluids, which brings them to a level, merely by the Mutability of their component Parts."[13] Only when his relative Robert became Financier did Gouverneur Morris yield to the insistence of conservatives like Hamilton that the state could be used to protect private property, as well as to destroy it.

Regulation of property seemed bad to the New York conservatives; confiscation of property was, of course, worse. In 1778 the state legislature attempted a tax on large incomes. "As to the taxation of money," Livingston complained to Morris,

> it is needless to tell you how far I agree with you in sentiment when I inform you of the measures our wise Legislature has taken to banish both money & monied men from the State. The first is effectively done by an embargo on flour which deprives us of every remittance but money. The second not only by a tax on money but by a most unprecedented tax of 5 per cent on all Traders and Manufacturers who have made more than £1000.[14]

The New York conservatives hotly opposed the confiscation

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[12]Fragment on price regulation, n.d., Gouverneur Morris Papers, Columbia U.

[13]Fragment on paper currency, Feb. 1780, ibid.

[14]Robert R. Livingston to Gouverneur Morris, Apr. 6, 1778, Robert R. Livingston Papers. See also in this collection same to same, Jan. 1778 and Jan. 29, 1778; Schuyler to Livingston, Mar. 5, 1778, and Livingston to Schuyler, Mar. 29, 1778.

of Loyalist land, too. In the fall of 1778, we find Livingston urging Morris to attend the Assembly because dangerous plans were afoot to forfeit estates and give land to the soldiers.[15] The next spring, Livingston kept John Jay informed of the progress of the "most ill judged" confiscation bill; never, the Chancellor declared, "was there a greater compound of folly avarice & injustice."[16] Jay's brother James, as will appear below, consistently voted against a confiscation bill at every opportunity.

Not so the conservatives as a group. Although privately bitterly hostile to every interference with private enterprise, whether in the form of price control or an embargo on grain or an income tax or the confiscation of land, the New York conservatives were committed to Livingston's counsel of yielding to the current if they hoped to direct its course.[17] Thus they often voted for things they actually despised. They were well aware, for example, that the Senate's rejection of a confiscation bill in the spring of 1779 would (as Livingston put it) "excite a flame out of doors,"[18] or (in the words of Benson) occasion "some Clamor and Uneasiness."[19] Better to yield half a loaf now, ran the thinking of the conservatives, than to have the whole loaf snatched from their hands later.

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[15]Livingston to Morris, Sept. 10, 1778, Robert R. Livingston Papers.

[16]Livingston to Jay, Mar. 4 and Apr. 20, 1779, ibid.

[17]See above, Chapter I, n. 12.

[18]Livingston to Jay, Mar. 4, 1779, as cited n. 16.

[19]Benson to Jay, June 23, 1779, Jay Papers, Columbia U.

Benson, carrying the burden of managing conservative tactics in the Assembly, was the most flexible. The confiscation bill which Livingston considered a compound of folly, avarice and injustice should in Benson's opinion have been passed and amended later.[20] While John Sloss Hobart wrote of price control that he would "oppose that hydra to the last," Benson who also privately condemned it (see n. 11, above) supported it in the legislature.[21] In the same spirit Benson wrote later of a taxation bill that although "the tender and penal clauses are neither yours nor mine, I was obliged to consent to them or I should have lost the whole bill."[22] Yet as early as 1779 Benson was encountering "considerable Opposition" in Dutchess County where he was denounced for his hostility to radical legislation,[23] and in 1781 he lost his seat although regarded at the time as the most powerful member of the Assembly.[24] He did not regain it until 1787.

The radical politicians did not form a solid phalanx, either. Yates, for example, opposed price-fixing and the confiscation of land.[25] Yet just as on the whole it is correct

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[20]Benson to Jay, June 23, 1779, as cited in n. 19.

[21]Hobart to Livingston, Feb. 15, 1780, and Benson to Livingston, Jan. 3, 1780, Robert R. Livingston Papers.

[22]Benson to Livingston, July 28, 1780, ibid.

[23]Benson to Jay, June 23, 1779, as cited in n. 19; for the accusation that Benson was more hostile to radical Whigs than to Tories, see New York Journal, Mar. 15 and Mar. 22, 1779.

[24]For contemporary testimony as to Benson's power in the Assembly, see Walter Livingston to Robert R. Livingston, Jan. 7, 1781, Robert R. Livingston Papers, and Hamilton (writing as "H--- G---") in the New York Daily Advertiser, Mar. 12, 1789.

[25]"Speeches to Delegates in Congress, 1786," Yates Papers, confirmed by Yates' voting record in the Senate during the war.

to portray the New York conservatives in opposition to drastic interference with private property, so there can be no doubt that radical politicians as a group were ready to countenance it.

Thus, as we saw in Chapter IV, future Anti-Federalists such as Gilbert Livingston and Jacobus Swartwout pressed for price-fixing and land confiscation in county committees. In the legislature, John Morin Scott introduced bills for these purposes as early as the winter of 1777-1778,[26] and the following autumn Robert R. Livingston accused his opponents of making proposals to regulate prices and to sell comfiscated or unappropriated lands "the basis of their popularity."[27] William Smith was told in 1779 that "a Man in the Secrets of the Leaders" of the Dutchess and Ulster radicals had commented on the Tory literature promising the estates of Whig landlords to their tenants, that "it was half right but the Tenants would not get the Lands in that Way meaning from the Crown but that when the Independency is established the Manors would be parcelled out to such Tenants as were in Favor with the New established Government."[28]

Thus, too, it was Dutchess radical Dirck Brinckerhoff, the anti-landlord champion of 1768-9, who led the struggle for confiscation and sale in the critical Assembly sessions of 1779-1780. His course paid off politically, just as Benson's did not.

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[26] Votes and Proceedings of the Senate (Fishkill, 1777), 17, 199.

[27] Livingston to Gouverneur Morris, Sept. 10, 1778, Robert R. Livingston Papers.

[28] William Smith, Historical Memoirs, 326.

After the passage of confiscation legislation in 1779-1780, Brinckerhoff served in the majority of the eight Assembly sessions which preceded the adoption of the United States Constitution.

This radical leadership was Clintonian only in the imagination of historians. For Clinton, as observed in Chapter I, was not a radical but a moderate. Clinton said of the confiscation bill that it "was in my Opinion neither founded in Justice warranted by sound Policy or consistent with the Spirit of the Constitution."[29] His position appears to have earned him some dislike among the rank-and-file. "Some Folks talk freely," commented an observer in the spring of 1779, "& say that a certain Gent (who played the Politician the first Election he got in for Governor) leads cows by the Nose."[30] In the state's second gubernatorial election, in 1783, Robert R. Livingston's mother would support the moderate Clinton against both the conservative candidate Schuyler and the radical candidate, Ephraim Paine of Dutchess.[31]

In fact, the confiscation legislation of 1779-1780 was forced from below. Before the spring elections of 1779, Livingston obesrved that the counties of Orange and Ulster were drawing up instructions for their legislators, and "several Batteries are playing off out of doors chiefly designed to make

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[29]George Clinton to John Jay, Mar. 17, 1779, Jay Papers, Columbia U.

[30]Charles DeWitt to same, Apr. 20, 1779, ibid.

[31]Margaret Beekman Livingston to Robert R. Livingston, Apr. 30, 1783, Robert R. Livingston Papers.

a change in the Delegations."[32] The batteries were most successful. According to Egbert Benson, surveying the election results in June, there were "Great Changes throughout the State for Representatives at the last Election"; in the fall Assembly of 1779, at least two-thirds of the members would be new. Of special significance was Benson's comment on the character of those who had been defeated. "Men of Substance and Importance," sighed the future Federalist, were dropping out of New York politics.[33] A year later Benson would be able to exult to Livingston that all but one of "the little faction which was found last winter" had been defeated.[34] In between these two elections, however, the most important radical legislation of the Revolution in New York was passed: the bills for confiscating and selling the land of attainted Loyalists.

In that stormy winter of 1779-1780, what was at stake for the tenants of south Dutchess was the hope of winning the freeholds they had failed to secure in the rebellion of 1766. For the leaders of the popular party in the county, the problem was the conversion of sentiments toward violence into votes for reform. As for the conservatives, their need was by fair means or foul to prevent a war for independence from turning into a social revolution. "Take a Survey of the Ground you have to act on," Morris admonished Livingston. "Where are the Eminences? They must be gained. <u>They</u> must be <u>gained</u> . . . . Will not

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[32]Livingston to Jay, Mar. 4, 1779, Jay Papers, Columbia U.

[33]Benson to Jay, June 23, 1779, <u>ibid.</u>

[34]Benson to Livingston, June 28 and July 28, 1780, Robert R. Livingston Papers.

some of their Forces revolt? . . . Take Ceres Bacchus and Minerva to your Aid."[35]

The Crisis of 1779-1780

In addition to the opposing leaders, Benson and Brinckerhoff, Dutchess County sent to the 1779-1780 Assembly Brinton Paine, Stephen Dodge, Henry Luddington, Nathaniel Sackett, and Ananias Cooper. Henry Luddington was the militia colonel of south Dutchess, already several times encountered; Brinton Paine was a relative of Ephraim Paine, the Revolutionary first judge; Stephen Dodge would be one of the new trio of commissioners appointed to sell Loyalist lands. They made up a good sample of the middle-class country gentlemen who officered the Dutchess militia, and represented Dutchess at Albany throughout the Revolution and the Critical Period.

The Loyalist land problem, the question of inflation and price control, and the deperate need for funds for the army, naturally dominated both the fall and spring sessions of the New York legislature. "The Confiscation & Tax Bill are the great Objects of Controversy," Governor Clinton remarked in October, "& occasion the Delay of all other Business."[36] During the next session, Benson reported to Livingston that the Assembly was continually wrangling from morning till night.[37]

The achievement of the fall session consisted in a tax

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[35]Morris to Livingston, Jan. 21, 1779, Robert R. Livingston Papers.

[36]Clinton to Jay, Oct. 5, 1779, Jay Papers, Columbia U.

[37]Benson to Livingston, Feb. 20, 1780, Robert R. Livingston Papers.

bill (further discussed below) which gave county assessors the power to discriminate against suspected Tories; and the law of October 22 (Third Session, Ch. 25) which attainted for treason a long list of persons, including the Dutchess landlords Beverly Robinson and Roger Morris, and confiscated their lands. Sequestration thus gave way to confiscation. This was the most important single piece of radical legislation passed throughout the war.

Meantime, a struggle over whether Loyalist land so seized should actually be sold had already begun. As in the French and English Revolutions,[38] conservatives sought to blunt the effect of confiscation by delaying and preventing the actual division and sale of the appropriated land.

Egbert Benson of Dutchess led this effort. On Sept. 14, he moved to delay the sale of forfeited lands until the next meeting of the legislature.[39] He lost, and on September 16 a bill for immediate sales was reported. A motion was made to strike out a provision prohibiting the sale of unimproved lands. Benson opposed it but lost again.[40] In each division, a majority of the Dutchess delegation as well as a majority of the Assembly was against him.

No doubt because of the parallel attainder bill, however, the bill for immediate sales was returned to committee and did not come up for final action until the spring, just as Benson had desired. Then it could no longer be put off. As

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[38]See above, Chapter IV, n. 6. It has been estimated that as little as 20 per cent of the land confiscated in the French Revolution was actually sold. Likewise in Dutchess, of forty-five persons whose property was sequestered under the 1777 law in Poughkeepsie precinct, only one finally lost his land (Platt, History of Poughkeepsie, 301).

[39]Journal of the Assembly (Fishkill, 1779), 26.

[40]Ibid., 28.

assemblymen made their way to Albany in heavy snows and temperatures which (on January 29) reached eighteen below zero, the northern army was enduring a winter "perhaps even more fearful than the one that had seen it freezing and sickening at Valley Forge."[41] Even before Christmas the commanding general, William Heath, had been writing Governor Clinton that the troops had gone eight days without bread, "a universal uneasiness prevailed," and mutiny seemed immanent. On December 16 Heath wrote that two-thirds of one Dutchess regiment had simply gone home, but recommended leniency for the mutineers because of the food shortage.[42]

Politicians of both parties voiced alarm. "I have not felt equal distress at the situation of our affairs at any period since the commencement of the war," Governor Clinton wrote to Livingston on January 7. "Notwithstanding the great exertions made by the State, it is with the utmost difficulty we feed the troops . . . . They have frequently been days together without bread."[43] Philip Schuyler concurred: "The garrison of Fort Schuyler has been on half allowances, that of Fort George so distressed that they have been on the point of evacuating it."[44] Livingston's mother wrote that the people of Dutchess had so little bread she feared a famine, and John Sloss Hobart summed up the general feeling in the

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[41] Dangerfield, Chancellor Livingston, 119. For the weather, New York Journal, Jan. 10 and Feb. 21, 1780. Two years later the contractor Jacob Cuyler wrote to James Duane about "seventy nine eighty when they were ready to disband for want of provisions" (Duane Papers).

[42] Heath to Clinton, Dec. 3 and 16, 1779, Jan. 25, 1780; Clinton to Heath, Dec. 23, 1779 (Clinton, Public Papers, V, 396-398, 421-422, 429-430, 463-467).

[43] Clinton to Livingston, Jan. 7, 1780, Robert R. Livingston Papers.

words: "this winter . . . is the most important to us of any that will fall within our age."[45]

Alexander Hamilton, sometime between December and March, wrote: "The present conjuncture is by all allowed to be peculiarly critical. Every man of reflexion employs his thoughts about the remedies proper to be applied to the national disorders."[46] The remedies which occured to conservatives were heavy taxation and devaluation of the Continental currency. The radicals, however, came back to their platform of price-fixing and land confiscation, and this time they carried the day.

On February 4, 1780, the Assembly committee in charge of the bill for sale of Loyalist land reported that memorials had been received from every county imploring immediate action. The Assembly again voted to proceed with immediate sale, with Benson again opposed, and the Dutchess majority (always including Dirck Brinckerhoff) in favor.[47]

Throughout February the struggle continued over critical amendments. The sale of unimproved as well as cultivated land was again approved. A key clause excusing loyal tenants from all arrearages of rent was inserted. An attempt to prevent the sale of farms where refugees were living, a matter (as we have seen) of great moment in south Dutchess, was defeated.[48]

Then once again, as in the spring of 1779, the bill ran into trouble in the Senate. On March 10, the upper house urged

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[44]Schuyler to Livingston, Jan. 18, 1780, Robert R. Livingston Papers.

[45]Margaret Beekman Livingston to same, Feb. 1780, and Hobart to same, Feb. 15, 1780, ibid.

[46]Hamilton to --, Papers of Hamilton, II, 236.

[47]Journal of the Assembly, 95. [48]Ibid., 105, 112, 113.

that sale of lands be postponed until further attempts to raise money by loans had been exhausted. The Assembly then voted for the last time on the bill. Once more Benson (in company with John Jay's brother) was on the side of delay; once more Brinckerhoff, with the Dutchess majority, voted for immediate sale. On March 11, 1780, the Senate bowed and the bill became law.[49]

The contest had not been one of good against evil. Dirck Brinckerhoff, who led the fight for the bill, in the same session moved to defeat a law to free Negro slaves who enlisted in the army for three years with the consent of their masters. In this he was opposed by Benson, leader of the effort to block confiscation and sale.[50]

For better or worse, however, the battle over Loyalist land had crystallized the party division which had been maturing since 1777, and which would endure until 1788 and beyond. "The Session," Benson lamented to Livingston, "certainly is the first in which I have known either Men or Measures lay under the Imputation of Disaffection. At our first Sessions the Debates ran high . . . but we still believed each other Whigs and so far there was a perfect Confidence; at the last Meeting, however, our Proceedings were poisoned by a Distrust, and without Cause, if not of Toryism at least of cool dispirited Whiggery."[51] This suspicion, thus planted in the minds of radical Whigs, proved long-lasting. The Whig coalition was permanently split.

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[49] Journal of the Assembly, 150. See also 122, 129, 144-145.

[50] In Brinckerhoff's precinct of Rombout, 601 of 5,941 persons in 1790 were slaves (Reynolds, Eighteenth Century Records, 7).

[51] Benson to Livingston, Mar. 20, 1780, Robert R. Livingston Papers.

Commenting on Benson's letter, Robert R. Livingston wrote to Duane: "It is much to be lamented that internal factions should break out before we had driven the enemy from our doors."[52]

Administering Confiscation

It used to be assumed - in regard to the English and French as well as the American Revolutions - that land confiscation, the most radical measure of each of these revolutions, produced a democratization of the countryside. It was taken for granted that confiscated land was divided and sold to small farmers.

Now it is asserted for England that most confiscated land found its way back into the hands of the original owners,[53] and for France, that bourgeois proprietors stepped into the shoes of the aristocratic or clerical owner.[54] In America also, the one adequately detailed study, dealing with the Southern District of New York, seemed to show that as in France speculators rather than small farmers got the bulk of the spoils.[55]

The confiscated Loyalist lands of Dutchess County were dis-

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[52]Robert R. Livingston to James Duane, May 2, 1780, Duane Papers.

[53]Joan Thirsk, "The Sales of Royalist Lands during the Interregnum," Economic History Review, 2nd Ser., V (1952), 188-207, and "The Restoration Land Settlement," Journal of Modern History, XXVI (1954), 315-328.

[54]Frederic Braesch, 1789, L'annee cruciale (Paris, 1941), translated and quoted in The Economic Origins of the French Revolution, ed. Ralph Greenlaw (Boston, 1958), 80.

[55]Harry B. Yoshpe, The Disposition of Loyalist Estates in the Southern District of the State of New York, passim. See also Catherine Snell Crary, "Forfeited Loyalist Lands in the Western District of New York - Albany and Tryon Counties," New York History, XXV (1954), 239-258, where the literature on confiscation in New York is crisply summarized.

persed in a variety of ways. Sometimes, as in England, a Loyalist proprietor contrived to regain his property. Thus Bartholemew Crannell of Poughkeepsie made use of his Whig son-in-law Gilbert Livingston to recover a farm; and George Clarke, "not wishing to lose . . . vast landed property [in northeastern Dutchess] sent his son to America to take charge of it and at the same time to profess deep sympathy with the Whig element."[56] Again, as in France, speculators took a share. Most of the county's leading Anti-Federalists obtained a farm or two to be leased in turn to tenants, and two of the nation's leading economic adventurers, Robert Morris and William Duer, picked up a pair of farms on which they expected a 200 per cent profit upon re-sale.[57] As in France, too, tenants finding themselves unable to buy their farms "demanded that they be leased out at the lowest rent possible" by the government.[58] Yet the fact remains that the ledgers of the commissioners charged with these sales in Dutchess County bear out the older view that most of the confiscated land went to small farmers, and so contributed to the destruction of aristocracy in New York.

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[56]James Smith, Dutchess County, 214.

[57]Except where indicated, the following analysis is based on the Abstract of Forfeited Lands for Dutchess County, N.-Y.H.S., a volume exactly corresponding to Ledger A of Deeds in the basement of the county clerk's office at Poughkeepsie. For Morris and Duer, see East, Business Enterprise, 112.

[58]Georges Lefebvre, Etudes sur la Revolution francaise (Paris, 1954), translated and quoted in Greenlaw, op. cit., 78. For Dutchess, see the petitions of Reuben Ferris and 93 others, June 26, 1781; Alexander Kidd and 102 others, Mar. 1782; and 61 residents of Philipstown, Mar. 1782 (New York Senate Papers, X, Box 2, and XI, Box 1). These petitions are further discussed below.

Although the Council of Revision had warned that "all the property to be sold under this bill must be sold into the hands of a few speculators," several of the bill's provisions were designed to keep this from happening. The confiscated land was to be sold in parcels generally of five hundred acres or less, a figure not too much larger than the one- to two-hundred acre farm typical in Dutchess and throughout the state.[59] Above all, tenants on the land at the time of confiscation were to have first chance at acquiring their farms. This important feature of the bill is thus summarized by Yoshpe:

> In the interest of those tenants who had "at considerable expense made or purchased the improvements" on the lands in their possession and who had "constantly, uniformly and zealously . . . endeavored to maintain the freedom and independence of the United States," the Commissioners were to offer them preemption of their lands at an appraised price. Until the fee simple of such lands sold, the tenants were to continue in possession at their former rents. Three appraisers, one chosen by the Commissioners, another by the tenant claiming the benfit intended by this clause, and the third by the other two appraisers, were to evaluate the property "exclusive of the improvements thereon." When the tenant had paid into the treasury the sum at which the lands were appraised, "within three months after the making of such appraisements," together with all arrearages of rent due thereon, the Commissioners of Forfeitures were to convey the appraised land to such tenant "in like manner as if such lands had been sold at public vendue, and such tenant had appeared and been the highest bidder for the same."[60]

Throughout the 1780's details of this law would be altered by successive Assemblies, usually to the disadvantage of the tenant. Thus in March 1781, the Assembly voted to give tenants

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[59] For average farm size throughout the state, see Spaulding, New York in the Critical Period, 52.

[60] Yoshpe, Disposition of Loyalist Estates, 20-21.

only four rather than eight months in which to apply for their right of preemption.[61] Four years later, in March 1785, the preemption clause was done away with altogether.[62]

Of the 490 forfeited lots in Dutchess County sold under the law, 455 were in southern Dutchess and 414 had belonged to Beverly Robinson or Roger Morris. Charles Inglis was deprived of 16 lots in Charlotte Precinct, and Henry Clinton lost 41 lots in southern Dutchess near the Connecticut border. Thus 471 of the 496 lots had belonged to four men.

The 455 lots in southern Dutchess were sold to 401 persons: rarely, obviously, did a purchaser acquire more than one farm. These lots, moreover, were almost without exception under the five-hundred-acre limit specified by the law. The average lot price, after prices levelled off in 1782, was under £100.

Not only were the lots cheap, small, and shared among many hands. The purchasers were very often former tenants actually farming the land at the time of confiscation. Of the 401 purchasers of forfeited farms in south Dutchess, 100 had paid taxes in these precincts in 1777.[63] Of 40 tenants actually in possession of a group of Robinson's lots offered for sale in July 1780, 20 purchased the land that they were

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[61] Journal of the Assembly (Albany, 1820 [for the year 1781]), 86.

[62] Journal of the Assembly (New York, 1785), 90.

[63] The assessment rolls for southern Dutchess are printed in Pelletreau, Putnam County, 122-128.

farming.[64] Pelletreau is certainly very near the mark in his conclusion that "in a large number of cases, in fact a majority, the lands were sold to the parties who were already in possession of the various farms, as tenants of Beverly Robinson and Roger Morris."[65]

Thus, the confiscation of Loyalist lands in Dutchess County was fundamentally democratic and did work to destroy "the aristocratic flavor which everywhere permeated society" before 1775.[66] Whether confiscation had this result elsewhere in America remains to be determined empirically. Of course, where land was already in the hands of small farmers, the confiscation of Loyalist property did not basically change the social structure.[67] Yet Yoshpe's own evidence for Westchester suggests that there, too, in contradiction to his overall conclusion that "patriotic profiteers contrived to get the bulk of the Loyalist estates into their own hands," many tenants acquired their farms.[68] The Dutchess and Westchester evidence, taken as a whole, suggests that where confiscation involved large tenanted estates the results may have been substantially democratic, while speculators found their

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[64] New York Journal, July 24, 1780.

[65] Pelletreau, Putnam County, 92-93.

[66] Becker, History of Political Parties, 14.

[67] For such a case, see Ruth M. Keesey, "Loyalism in Bergen County, New Jersey," William and Mary Quarterly, 3d Ser., XVIII (1961), especially 564-568.

[68] E. Wilder Spaulding made this point in reviewing Yoshpe's book for the American Historical Review, XLV (1940), 899-900. Yoshpe's conclusion as quoted is at op. cit., 115, and his Westchester evidence at ibid., 51-63.

pickings primarily in scattered, urban or unoccupied parcels.

In Dutchess, speculation was much more significant after the initial sale of the confiscated land than during it. In the original sales, absentee purchasers were few, although such Anti-Federalist politicians (none of them resident on confiscated farms) as John Lamb, Zephaniah Platt, Jacobus Swartwout, Mathew Patterson, John Morin Scott and Melancton Smith each picked up a farm or two. It was after the initial act of preemption, when as in Westchester many tenant purchasers "were obliged to encumber their holdings with mortgages in order to raise the money needed for the discharge of their debts,"[69] that the small farmer often discovered he had escaped the clutches of the landlord only to fall into the waiting hands of the money-lender.

Such a man was Daniel Hunt. "We the subscribers," ran a 1781 petition on his behalf, "beg leave to represent the circumstance of Daniel Hunt who is now eight-seven years of age. He lives on a small farm that did belong to Col. Robinson [,] not more than twenty acres of improved land. He has always been friendly to the country [,] he has lived on the place twelve years. If you will be pleased to order that the place may not be sold but let him continue the few days he has to live it can't be long and he is not able to buy it."[70]

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[69] Yoshpe, Disposition of Loyalist Estates, 56.

[70] Misc. Mss. Dutchess County, N.-Y.H.S.

In many cases Dutchess tenants had declared an intention to buy their farms simply because the alternative was dispossession. In 1781 ninety-four tenants of Fredericksburg Precinct, heart of the 1766 rising, explained to the legislature that they could not possibly pay the back rents required by the final version of the confiscation law. "By Law," the petitioners stated,

> they are obligated either to Purchase, or Quit their different Houses and Lands on which they have liv'd for a Number of Years, which by their Industry is brought to some degree of perfection [and] in which consists their little all. Thrice happy would they be, if their circumstances did admit of their buying their Dwelling, but such is the Case A very few excepted that were they to sell every thing they own nay even borrow of their Friends they could not get a sufficient Sum to pay for their Places.

These tenants, like their counterparts in France a dozen years later, concluded by asking to lease their farms from the government. "Your Petitioners beg leave to point out their truly deplorable situation in haveing no Alternative but Buying the Lands or be turned out of their Homes . . . . They would be content in being Tenants to the State whereby they could raise Grain and Provisions to supply our Army." Other south Dutchess petitions[71] described the plight of "this poor Precinct" in similar terms, a plight readily understandable when one recalls that as of May 1777, Beverly Robinson's tenants had owed him two-and-a-half years' back rent. In 1782, the legislature eased the situation by permitting preempting tenants to meet half their obligations in securities rather than cash.[72] Most

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[71] As cited above, n. 58.

[72] Laws of New York, 5th Session, Ch. 45.

of the securities paid in under this procedure were the hitherto-worthless "Barber's notes" distributed during the war in exchange for requisitioned supplies.[73] But even this procedure apparently did not suffice, for in the mid-decade new petitions requested permission to pay half the sums due in beef or flour rather than cash.[74] Finally, the Hessian fly added to the trials of those farmers who (as almost all did) raised wheat: sixty-nine south Dutchess tenants in 1780 asked the legislature to grant more time for payments "By Reason of that Insect so . . . Rageing amongst us and Totally Preventing us from [Grow]ing of Wheat as we Where Accustomed To Do."[75]

The upshot was that many tenants who had been compelled "rather than to lose the farm to purchase at public Auction"[76] failed to meet installment payments to the state, or mortgage payments to a money-lender, and lost the farm anyway. Thus one finds Robert G. Livingston's son writing in 1781:

> I received a letter from my father Saturday, desiring me to acquaint you that he had a mortgage on the farm late the property of Abraham Payne amounting to about £300. The commissioners sold it to Payne who not being able to make payment on it was obliged to leave it.[77]

Trading in south Dutchess farms continued brisk throughout the decade. We catch a glimpse of six or eight purchasers after

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[73]"Abstract of Public Securities pd. into the Treasury by Danl. Graham . . . March 24th, 1786," Revolutionary Manuscripts, XLIV, N.Y.S.L.

[74]Assembly Papers, XXV, N.Y.S.L.

[75]Ibid., XXVI.

[76]Quoted from petition in Ibid., XXV.

[77]Henry G. to Gilbert Livingston, Mar. 4, 1781, Gilbert Livingston Papers.

one Fredericksburg farm in 1785; of William Duer selling another at £1200, probably five or six times the price he paid for it; of a mill and 100 acre farm in the same precinct renting at the very substantial sum of £200 per year.[78] The volume of sheriff's sales and mortgage foreclosures is difficult even to estimate, but newspaper advertisements indicate it was increasing as late as 1788.[79]

If the outcry over such conditions was not greater, it was due in part to the "safety valve" of the frontier. Samuel Munroe and William Prendergast carried their grievances out of the county, and so did countless others who had followed them in the pre-Revolutionary tenant riots. In 1783 and 1784, 1501 Dutchess petitioners - well over 20 per cent of the county's adult males - asked the legislature for frontier townships, not for "land jobbing" but for immediate settlement.[80] Hopefully the preceding chapters have shown that the internal class conflict of the Becker-Beard thesis was real and continuous in Revolutionary Dutchess County. Had it not been for the accessibility after 1783 of the frontier, the struggle over who should rule at home might well have had a different ending.

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[78]John McAulay to James McKesson, Dec. 24, 1785, McKesson Papers, N.-Y.H.S.; Udny Hay to William Duer, June 26, 1784, Duer Papers, N.-Y.H.S.; advertisement in New York Daily Advertiser, Jan. 3, 1786. The price Duer paid for the farm he sold in 1784 can be guessed as follows. The average size of farm was 1-200 acres (see above, n. 59). The price paid for confiscated farms tended to run under £1 per acre: thus 38,000 acres of Roger Morris went for £24,000 ("Abstract of sales of forfeited lands, belonging once to Roger Morris," Assembly Papers, XXV).

[79]Spaulding, New York in the Critical Period, 21.

[80]Petitions of Oct. 28, 1783 and Jan. 7, 1784, Senate Legislative Papers, IX. The county's white population between 16 and 60 was 6,973 in 1786 (New York Daily Advertiser, Dec. 26, 1786).

Conclusion

The confiscation of Loyalist land in Dutchess County was forced by popular pressure from tenants as well as by the necessities of financing the war. Although confiscation affected only the Tory landlords of south Dutchess and not the Whig landlords of northern Dutchess, although speculators obtained part of the land at the initial sales and more of it later, nonetheless the confiscation permanently altered the balance of power in the county. The tone of south and central Dutchess was set after the Revolution by the freehold farmer: the "wealthy husbandman" who, as Gouverneur Morris described him, worked a 200 acre freehold with his son and two hired laborers, possessed eight horses and sixteen head of cattle, and had a house with fourteen windows.[81] No longer did the atmosphere of landlordism hang over the county like a heavy cloud. Fifty years later a Livingston told the inquiring Alexis De Tocqueville that after the Revolution "the strength of Democracy was so paramount that no one attempted to struggle against it."[82]

Not that the Revolution wiped out tenancy in Dutchess completely, as several county historians assert.[83] The survival of Dutchess landlordism after the Revolution is illus-

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[81] Letter No. 1 "To the Inhabitants of America," n.d., Gouverneur Morris Papers, Columbia U.

[82] Alexis De Tocqueville, Journey to America, ed. J. P. Mayer (New Haven, 1960), 20.

[83] Thus McCracken, Old Dutchess Forever, 425, 430, 433, and H. W. Reynolds, "The Story of Dutchess County," D.C.H.S., Yearbook, XVIII (1933), 32.

trated by that hardy perennial, Robert G. Livingston. During the Revolution, Robert G. was a Tory sympathizer and carried on business somewhat gingerly, collecting his rents by newspaper advertisements.[84] His son, Henry, wrote to his nephew, Gilbert (who transacted the clan's legal business), that several suits involving tenants were "rather disagreeable [and] I would not wish to have any concern in it at these times."[85] With the coming of peace, however, father and son perfunctorily took the oath of loyalty,[86] and resumed their customary manner. Their letters of the 1780's bristle with such phrases as: "I must order him to be arrested please to write him a line threaten him perhaps that may prevail on him to do something," and: "Poppy desired me to turn him off as he used him ill by sending him insolent messages such as refusing him rent and saying he would pay to the King etc. etc."[87] On August 5, 1788, Henry Livingston would feast five hundred of his southeast Dutchess neighbors on roast ox to celebrate the ratification of the United States Constitution.[88]

Thus post-war Dutchess presented "a checkered pattern of land tenure with numerous leaseholds interspersed among the

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[84]See above, n. 2.

[85]Henry G. Livingston to Gilbert Livingston, Aug. 1, 1782, Gilbert Livingston Papers.

[86]Same to same, Oct. 15, 1782, ibid.

[87]Same to same, Feb. 1, 1785, and Robert G. Livingston to Gilbert Livingston, Oct. 20, 1785, ibid.

[88]McCracken, Old Dutchess Forever, 82.

predominant freeholds."[89] The county's stormy days were over. South Dutchess would vote Clintonian and north Dutchess Federalist through the Presidency of Thomas Jefferson,[90] but there were no tenant risings in Dutchess in the tin horns and calico riots of the 1840's. By then, the incorrigible pre-Revolutionary tenants whom a British captain had called "levellers by principle"[91] had been transformed into the sturdy freeholders of blithe Dutchess. The continuing possibility of movement to the frontier seems to have assuaged what frictions still existed after 1783.

The essentially different nature of the post-Revolutionary scene was not immediately apparent to contemporaries. Looking out over the sea of post-Revolutionary politics in 1782, Robert R. Livingston's brother-in-law wrote him: "This state has a strong Democratic Spirit prevailing that will some day not far off give a stab to its happiness . . . . The people want nothing but to be a little more impoverished to prepare them for it. The first stroke would be at the Tenanted estates."[92]

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[89] David Maldwyn Ellis, Landlords and Farmers in the Hudson-Mohawk Region, 1790-1850 (Ithaca, 1946), 28. See to the same effect, Spaulding, New York in the Critical Period, 6. The electoral census of 1790 lists 1,115 tenants in Dutchess County.

[90] See McCracken, Old Dutchess Forever, 447, 464, 472.

[91] O'Callaghan ed., Documentary History of New York, III, 595-596.

[92] Thomas Tillotson to Robert R. Livingston, June 17, 1782, Robert R. Livingston Papers.

CHAPTER VI

STALEMATE: 1781-1783

The years between Yorktown and evacuation (October 1781-November 1783) were a period of stalemate between the now clearly distinct and antagonistic wings of the Whig party. In the spring of 1780 it seemed for a moment that the Continental Congress might move into the centralized economic regulation which characterized the Jacobin phase of the French Revolution. Instead, eight days after the New York bill for immediate sale of confiscated Loyalist land, Congress devalued the Continental Currency and embarked on the conservative program of financial measures: devaluation, impost, and national bank rather than price regulation, confiscation and paper money.[1] The economic and political measures pushed through by the conservatives in 1787-1788 and the first Washington administration were matured in all essentials by the end of the Revolutionary War.[2] In early 1783, a combination of Congressional conservatives (notably the New Yorkers Gouverneur Morris and Hamilton) and Army officers (including the erstwhile New York radical, Alexander McDougall) very nearly engineered a Cromwellian coup to enact the conserva-

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[1]A full account of the conservative financial program is now available in E. James Ferguson, The Power of the Purse, Ch. 6 and 334-335.

[2]As Merrill Jensen, contrary to John Fiske, has long insisted. See Jensen's "The Idea of a National Government During the Revolution," Political Science Quarterly, LVIII (1943), 356-379.

tive program with the leverage of army grievances. But this program, too, failed to materialize, frustrated (as will appear) as much by the disinclination of the common soldier as by the patriotism of General Washington.

In New York, too, the second half of the war was a period of confusion and lack of clear direction. Price-fixing, having been blocked at a national level, proved ineffective as a merely local measure and faded out of politics. Confiscation too was discredited by an awareness that "like many other of our Laws [it] had been applied to purposes entirely different from, if not opposite to the Design of it."[3] Radical Whigs, we shall see, carried on confiscation quietly and effectively by control of the machinery for taxation.

But if the radicals, after 1779-1780, no longer had a plan, they still retained the power. Early in the war radicalism had been strongest in Congress, conservatism in the states. Now matters were reversed, and conservatives like Robert R. Livingston could only attempt to undo at Philadelphia the damage perpetrated at Poughkeepsie and Albany: central government, as Ferguson puts it, became for the conservatives "a refuge against majority rule."[4] In July 1782, the New York conservatives (Schuyler drafting the resolution, and Hamilton

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[3]John Holt to John Lamb, June 10, 1781, Lamb Papers. The letter goes on: "Thus have a great Part of the Estates which were in the Nature of a Bank Security to this State, been squandered away to the advantage of a few Harpies who prey upon the Vitals of the State, and leave the Soldiers unredressed, and dissatisfied."

[4]Ferguson, Power of the Purse, 337. For Livingston's changing attitude, see Dangerfield, Chancellor Livingston, Part II, Chapter IV.

lobbying it through) actually persuaded the state legislature to pass a resolution calling for a national convention to revise the Articles of Confederation.[5] But this was the high-water-mark of conservative influence in the New York legislature during the second half of the war. More often, Schuyler (as his son-in-law put it) was "exposed to the mortification of seeing important measures patronised by him . . . miscarry."[6]

In the following chapter the ebb and flow of this essentially stalemated struggle will be blocked out, but only in rough outline. These involutions of state and national politics are not the central concern of the present study. They must be glanced at, however, in order to understand the transition from the years 1777-1780, when the radicals rode high, to the years after 1783 when a conservative and nationalist current steadily gathered force.

1780-1781

Abraham Yates, Jr., the leading Anti-Federalist pamphleteer of New York, later charged that from the moment the French treaty released conservatives from "apprehension about the Event of the Controversy" - that is, from early 1778 on - , they set about planning to dominate and transform the national government.[7] This dating seems too early. As late as March

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[5]See Thomas Cochran, New York in the Confederation (Philaphia, 1931), 137-138.

[6]Alexander Hamilton to Robert Morris, Aug. 15, 1782, Hamilton Papers, Columbia U.

[7]"Essays on Various Political Subjects," Yates Papers, N.Y.P.L.

1781, Robert R. Livingston wrote Philip Schuyler: "Have you devised any plan to extricate us from our present difficulties? or are we still to blunder on without object & without system?"[8] When the two most powerful New York conservatives expressed bewilderment, lesser men could hardly have had a surer sense of purpose. "It would be the extreme of vanity in us," Hamilton wrote in July, "not to be sensible, that we began this revolution with very vague and confined notions of the practical business of government."[9]

Among the vague and confined notions which Hamilton set himself to combat was the visceral opposition to government economic intervention of such conservatives as Gouverneur Morris. Hitherto it had been radicals, not conservatives, who favored a managed economy. Marinus Willett, for instance, wrote to John Jay in 1777 that he approved New York's embargo on the export of flour. "I am not unaware," Willett explained, "of that common argument that trade will regulate itself [but] a virtuous private trader appears to me as rare in this day as the Phoenix; trade is got into the hands of I don't know who: but am sure it is not in the hands of men of public virtue."[10]

Only as the economy began to drift toward chaos and as conservatives began to envision the possibility that they could control Congress, did men like Morris heed Hamilton's mercantilist arguments. Hamilton's "Continentalist" essays explicitly in-

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[8] Livingston to Schuyler, Mar. 28, 1781, Schuyler Papers.

[9] "The Continentalist No. I", Papers of Hamilton, II, 649.

[10] Willett to Jay, Dec. 17, 1777, Jay Papers, Columbia U.

voked the example of Colbert in maintaining that governmental power, while dangerous, should not for that reason be spurned. Public banks, for example, "like all other good things . . . are subject to abuse and when abused become pernicious," Hamilton wrote to Robert Morris in April 1781. "But no wise statesman will reject the good from an apprehension of the ill."[11]

In the troubled eighteen months between the fall of Charleston (May 1780) and the triumph of Yorktown, Hamilton, Livingston, Schuyler all bordered on calling for dictatorial moves in the national Congress. We must, Schuyler wrote Duane, "lodge dictatorial powers either in the Commander in Chief, or in him, conjointly with a small committee of Congress"; he went on to suggest names for the committee.[12] In November 1780, Schuyler suggested a dictatorial central committee for New York as well.[13] Hamilton told the same correspondent that Congress had been too literal in observing the letter of its instructions: "they should have considered themselves as vested with full power <u>to preserve the republic from harm</u>."[14] Sometime in 1780, Robert R. Livingston as chairman of a committee of the Continental Congress for increasing the powers of Congress used identical language in calling on that body to assume

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[11]Hamilton to Morris, Apr. 30, 1781, <u>Papers of Hamilton</u>, II, 617-618.

[12]Philip Schuyler to James Duane, May 13, 1780, Duane Papers.

[13]Robert R. Livingston to same, Nov. 12, 1780, <u>ibid.</u>

[14]Alexander Hamilton to same, Sept. 3, 1780, <u>Papers of Hamilton</u>, II, 401. Later in this long and important letter (<u>ibid.</u>, II, 407), Hamilton presents a constitutional convention as a second and probably more acceptable means of accomplishing the same end: more power for Congress.

all necessary powers "by the authority which the nature of the trust reposed in them vests with them."[15] This language was far removed from the stolid opposition to energy in government still expressed in February 1781 by Gouverneur Morris. "Restrictions of Commerce," Morris wrote to Livingston, "injure the State without serving the general Cause and undue Exertions of Government like the Convulsions of Delirium exhaust the Patient in unproductive Efforts."[16]

The temptation to effect a conservative coup d'état passed. In the spring of 1783 it would present itself again, and again just fail of execution. The impulse was neither more nor less vicious than the comparable revolutionary centralization of the French Jacobins. Its motivation was not narrowly self-interested or economically motivated in the Beardian sense. On the contrary, Tom Paine, the voice of the Revolution, quite agreed that the crisis of 1779-1780 called for centralized government in the hands of businessmen. "While the war was carried on by emissions at the pleasure of Congress," Paine wrote in June 1780, "any body of men might conduct public business, and the poor were of equal use in government with the rich. But where the means must be drawn from the country the case becomes altered, and unless the wealthier part throw in their aid, public measures must go heavily on."[17]

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[15]Quoted in Dangerfield, Chancellor Livingston, 124.

[16]Morris to Livingston, Feb. 21, 1781, Robert R. Livingston Papers.

[17]Thomas Paine to Joseph Reed, June 4, 1780, The Complete Writings of Thomas Paine, ed. Philip Foner (New York, 1945), II, 1186.

If conservatives did not drive harder for dictatorial power in 1780-1781, it was in part because they seemed to be accomplishing their objectives by other means. Abraham Yates, in his manuscript history of the movement for the United States Constitution,[18] summarized conservative thinking at the time as follows:

> Some were of opinion that Congress like the Decemvri among the Romans ought without any other ceremony to assume the powers of government . . . and make use of the army to enforce it. Others preferred the doing of it more circuitously by geting Congress invested with the appointment of some principal officers in Each state, an Impost, a Pole Tax, a Land Tax, an Excise upon all spirituous Liquors all to be collected by officers in the appointment of and under the Laws of Congress.

In view of the fact that Yates presumably had no access to Hamilton's private correspondence, this was an astonishingly accurate estimate. Devaluation in 1780 and still more Robert Morris' appointment as Financier in 1781 must have appeared to Hamilton and his associates as giant steps toward centralization by the second, "more circuitous" route.

The New York conservatives played a key role in bringing about the Morris appointment. "Finance my Friend," Gouverneur Morris exclaimed to Jay in 1781. "The whole of what remains in the American Revolution grounds there."[19] The New Yorkers had shown their awareness of this for the previous three years. Regulating our finances, Gouverneur Morris wrote to Livingston in 1778, "is an object which I shall not lose sight of."[20]

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[18] As cited above, n. 7

[19] Gouverneur Morris to John Jay, Mar. 31, 1781, Jay Papers, Columbia U.

[20] Gouverneur Morris to Robert R. Livingston, Aug. 28, 1778, Livingston-Bancroft Transcripts, N.Y.P.L.

James Duane, that "intriguing industrious body" as his friend Morris called him,[21] was a particularly central figure in the New Yorkers' efforts to strengthen continental finances. "I was obliged to secure my place at the Treasury," Duane wrote to Livingston early in 1779, "no other member having knowledge of our money matters sufficiently comprehensive." He continued in the same letter: "Let the present debt be properly financed and the good Sense as well as the monied Interest of America will be one our Side."[22] Later, when Morris' appointment had been secured, Duane called his regime "the plan for the Administration of our Affairs, on which I hazarded my political Reputation."[23] Hamilton, of course, had been recommending both the plan and the man to anyone who would listen.[24]

Thus in national affairs during 1780-1781, conservative businessmen moved into the seats of power. The change made for a certain brisk efficiency. When in May 1780 money was needed for the army, a subscription of patriotic businessmen (which, symbolically, both Tom Paine and Robert R. Livingston claimed to have suggested[25]) filled the gap. Again, after Morris' appointment in February 1781, he wrote a revealing letter to Philip Schuyler. I need, the Financier told the

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[21]Morris to Livingston, Sept. 22, 1778, Robert R. Livingston Papers.

[22]Duane to Livingston, Jan. 3, 1779, <u>ibid.</u>

[23]Duane to George Washington, Aug. 7, 1782, Duane Papers. See also in this collection: Duane to Mrs. Duane, May 26, 1779; Schuyler to Duane, Dec. 16, 1779; Livingston to Duane, Mar. 13 and Nov. 12, 1780.

[24]<u>Papers of Hamilton</u>, II, 409, 605-606.

[25]Livingston to Schuyler, June 17, 1780, Bancroft Transcripts, Schuyler, N.Y.P.L.

Patroon, one thousand barrels of flour for the new campaign; I assume your credit as a private gentleman is good for this amount; proceed accordingly, and bill me.[26] By thus harnessing the energies of private enterprise, supplies were obtained for the campaign of Yorktown.

In Dutchess County, too, 1780-1781 was a perilous time which seemed to rival the extremity of 1779-1780. Abraham Yates later recalled the distress of that winter, when "the Enemy [was] in possession of two thirds of the States" and "the Inhabitants discontented and worn out with Militia Duty," when there had been "near 400 habitations destroyed by the Enemy the preceding campaign" and "the troops without pay or provisions."[27] Taxes, frequent militia duty, and the burden of fugitives, Robert R. Livingston wrote George Washington in January 1781, were driving the common people to desperation: "sore and dissatisfied their discontents begin to break out in complaints against their rulers in committees and instructions."[28] Washington's reply informed Livingston of mutinies in the Pennsylvania and New Jersey line, and in his habitual solid manner spoke for every American conservative in adding:

> The Committees now forming, are at this crisis, disagreeable things; & if they cannot be counteracted, or diverted from their original purposes, may outrun the views of the well meaning members of them, and plunge the Country into deeper distress and confusion than it has hitherto experienced . . . . There can be

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[26]Robert Morris to Philip Schuyler, May 29, 1781, Bancroft Transcripts, Schuyler, N.Y.P.L.

[27]"Speeches to Delegates in Congress, 1780," Yates Papers.

[28]Robert R. Livingston to George Washington, Jan. 8, 1781, Robert R. Livingston Papers.

> no radical Cure, till Congress is vested by the several States with full and ample Powers to enact Laws for general purposes - and til the Executive business is placed in the hands of able Men, & respectable characters.[29]

Committees (which most historians assume to have died in 1777) were indeed forming, just as in 1779. "The people are clamorous," Livingston wrote Morris, "the whole County of Dutchess have chosen precinct & County committees to instruct their members etc. - some districts in Albany have gone further & chosen members for a State convention";[30] and Abraham Yates confirmed this in recalling that "the coals of discontent were daily blown up . . . it was even in contemplation to set aside the Constitution and recommence acting by committees."[31] Late in January, committees from all Dutchess precincts met and a county-wide committee was formed, again with a future Anti-Federalist (John Bailey) as chairman.[32] The grievances of these committees are not quite clear. Thus a meeting of 3-400 tenants at Livingston Manor on January 6, under the supervision of several Livingstons, condemned a prohibition on selling grain to the French army, while the meeting in Dutchess supported that prohibition as essential to the winning of the war.[33] What signified most to conservatives

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[29]Washington to Livingston, Jan. 31, 1781, Robert R. Livingston Papers.

[30]Livingston to Morris, Jan. 18, 1781, ibid.

[31]As cited in n. 27.

[32]New York Packet, Jan. 25, Feb. 1, 1781.

[33]See the resolves of the Livingston Manor meeting in New York Packet, Jan. 18, 1781; Walter to Robert R. Livingston, Jan. 7, 1781, Robert R. Livingston Papers; and Dangerfield, Chancellor Livingston, 130-132.

was the bare fact that committees were once again threatening to take the place of duly constituted representative bodies. What William Smith once called "infinity of lawgivers" had never been popular among the £100 freeholders.[34]

The rumored state-wide convention of committee delegates did not materialize. On Febraury 4, 1781, Hamilton wrote to his friend John Laurens:

> I promised to give you [an account of] the progress of the disquiets in this state. More judicious [men] have in several counties diverted the malcontents from the project of a convention which was no doubt of tory origin to subvert the present government and introduce confusion; but petitions and remonstrances to the legislature on the grievances which the people suppose they labour under will be universal. I hope however these little commotions will for the present subside without any dangerous consequences.

Hamilton and his friends also desired a convention, but of a very different kind. His letter continued:

> I have just received a letter from General Schuyler in which he tells me of a motion made by him and which he had no doubt would be carried, to invite the several states to a meeting in Convention [as] possible for the purpose of finally concluding a solid confederation to give sufficient powers to Congress for calling forth the resources of the country . . . . The plan for a new state will greatly assist our friends.[35]

This plan for a convention also misfired, of course. Radicals lacked the ability to force through their plans in the state, conservatives were similarly hampered in the national Congress. The stalemate continued into 1782-1783.

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[34]William Smith, Historical Memoirs, 149.

[35]Alexander Hamilton to John Laurens, Feb. -, 1781, Papers of Hamilton, II, 549-550.

1782-1783

We hear little of Dutchess County in the correspondence and press reports regarding the last two years of the Revolutionary War. Already, apparently, the fundamental solution of the problem of tenancy had started the county on its transition to normalcy, as described at the end of the preceding chapter. The old radical Ephraim Paine continued to denounce profiteering merchants as "fine folks" exploiting the common people.[36] But essentially the county had become a political backwater.

Nationally, the administration of Robert Morris repaired the financial disasters of 1779-1781, at least temporarily; in the spring of 1782, Hamilton reported that Morris was "conciliating fast the support of the moneyed men."[37] Building on this success, Hamilton found more and more support in conservative circles for his statist philosophy. He expressed it forcefully that same spring in his fifth "Continentalist" essay:

> There are some, who maintain, that trade will regulate itself, and is not to be benefited by the encouragements, or restraints of government. Such persons will imagine, that there is no need of a common directing power. This is one of those wild speculative paradoxes, which have grown into credit among us, contrary to the uniform practice and sense of the most enlightened nations.

And Hamilton concluded: "Unless we can overcome this narrow disposition and learn to estimate measures, by their general tendency, we shall never be a great or a happy people, if we

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[36] New York Packet, Apr. 11, Apr. 15, 1782.

[37] Hamilton to Vicomte de Noailles, [Apr.-June, 1782], Hamilton Papers, Columbia U.

remain a people at all."[38]

As Receiver of Continental Taxes in the state of New York, Hamilton was continually confronted by a legislature which during the following decade would be (from Hamilton's point of view) notorious for its "narrow" outlook. In this post he spent much of his time lobbying for measures suggested by Morris. Hamilton sent on the newspapers, estimated the influence of the various leaders, and sketched the political temper of the people at large. The latter, he concluded, had been about half Tory in the early years of the war. "There still remains," he wrote Morris, "I dare say a third whose secret wishes are on the side of the enemy; the remainder sigh for peace, murmur at taxes, clamour at their rulers, change one incapable man for another more incapable."[39]

Abraham Yates, who had wanted the job of Receiver himself,[40] later found dark designs in this aspect of the Morris regime. The conservatives, he thought, had deliberately adopted a scheme

> to make the financier the center of communication and to put all the officers that had any connection with the Treasury under his controul, and to try to Introduce and to get the appointment of some Influential officers in Every state and they also under the controul of the Financier; so that Congress by means of the Financier and these officers might keep up a correspondence & by acting in Concert they might be Enabled to influence the several Legislatures in

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[38] "The Continentalist No. V," Hamilton Papers, Columbia U.

[39] Hamilton to Morris, Aug. 13, 1782, <u>ibid.</u>

[40] Abraham Yates, Jr., to James Duane and Ezra L'Hommedieu, Oct. 19, 1782, copies in both Yates Papers and Duane Papers.

favour of Congressional Measures and so get the powers of Congress augmented.[41]

It was true enough that Morris sought through Hamilton and other allies to repeal state legislation for paper money which made such issues a legal tender, and which made it a crime not to receive the bills.[42] In New York, an additional target was the system of taxation created in that same fall session of 1779 which decreed the permanent confiscation of Loyalist lands.[43]

The radical approach to taxation, like the radical approach to price regulation, placed power in the hands of local committees. Rather than taxing property at a fixed rate per pound of assessed valuation, the law gave elected county officials - the supervisors who set the quota for each township, and the assessors who distributed the township quota among individuals - complete discretion. "The whole business," as Hamilton put it, "appears to be thrown into the hands of the County treasurers."[44] He continued: "The exterior figure a man makes, the decency or meanness of his manner of living, the personal friendships, or dislikes of the assessors have much more share in determining what individuals shall pay, than the proportion of property."[45]

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[41] "Essays on Various Political Subjects," Yates Papers.

[42] See Benson to Livingston, July 8, 1780, Robert R. Livingston Papers; Livingston to Gouverneur Morris, Apr. 3, 1781, ibid.; Robert Morris to Schuyler, June 25, 1781, Schuyler Papers.

[43] See Cochran, New York in the Confederation, 46-47.

[44] Hamilton to Robert Morris, [June 17, 1782], Hamilton Papers, Columbia U.

[45] Same to same, Aug. 13, 1782, ibid.

In Dutchess County, committeemen like John DeWitt did indeed take advantage of the system to settle some old scores. Before 1779 was out, Robert R. Livingston's mother wrote him:

> John DeWitt is as arbitriary as a Bassha - Radley is taxed £900 while Bogardus who is Clerk to the Assessors is Txd £100 . . . . I am assessed £1500 in Rhinebeck precinct & DeWitt told Tillotson that I was to be assessed in pawlding & Beekmans. I am taxed in the Manor £2000 & you £3000, Cozen Robert £1000.[46]

Two years later Mrs. Livingston was still complaining of De Witt's taxes.[47] The conservatives were unsuccessful in their efforts to abolish the assessment system in 1782-1783, and (as will appear below) in the spring of 1784 it was applied to New York City in the same discriminatory fashion.

Another example of the way politics entered into Hamilton's work as Receiver of Taxes is his effort to curtail the influence of the radical New York City merchant William Malcom. In 1782, Hamilton described Malcom to Morris as one of the three most influential men in the state legislature.[48] As early as 1779 Hamilton had noted that the radical refugees from New York City were meeting regularly in hope of democratizing the state constitution, and had suggested to Jay that Malcom be given some office which would take him outside the state.[49] Jay thought the proposal unwise but remarked that

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[46]Margaret Beekman Livingston to Robert R. Livingston, Dec. 30, 1779, Robert R. Livingston Papers.

[47]Same to same, July 16, 1782, ibid.

[48]Hamilton to Morris, Aug. 13, 1782, Hamilton Papers.

[49]Hamilton to Jay, June 20, 1779, Papers of Hamilton, II, 82-83.

"some other mode of diverting them may offer."[50] In 1782, as agent for Morris, Hamilton returned to the matter. "He has it in his power," wrote the Receiver, "to support or perplex measures, as he may incline, and it will be politic to make it his interest to incline to what is right. It was on this principle I proposed him for a certain office."[51] Malcom, however, remained in New York and played a leading part in post-war radical politics.

In the fall of 1782, the New York conservatives tried their own hand at state convention-calling. In June 1782, a meeting of public creditors took place in Philadelphia. A similar gathering met at Albany in September, with Schuyler in the chair, and issued a call for counties to form committees and send delegates to a state convention at Poughkeepsie on November 19.[52] Once again, however, the state's sluggish inertia frustrated the nationalists' plans. The convention (so far as the evidence shows) never met.

Then, with peace at hand, Hamilton and Gouverneur Morris made their desperate bid to utilize the army's demand for pay in forcing through the conservative program. Here if anywhere in the story of the adoption of the United States Constitution, the term "conspiracy" is absolutely fitting.

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[50]Jay to Hamilton, Sept. 18, 1779, Papers of Hamilton, II, 182.

[51]Hamilton to Robert Morris, Aug. 13, 1782, Hamilton Papers, Columbia U.

[52]New York Packet, Oct. 24, 1782.

"You and I, my friend," Gouverneur Morris wrote to Jay as he launched the campaign (in a passage omitted by Sparks in his life of Morris, and never before printed), "know by Experience, that when a few Men of Sense and Spirit get together, and declare that they are the Authority, such few as are of a different Opinion may easily be convinced of their mistake by that powerful Argument the Halter."[53]

Hamilton's language in the crisis breathed a similar spirit. "I confess," he wrote to the reluctant Washington, "could force avail I should almost wish to see it employed." He went on to suggest the same device employed by the Presbyterians in Parliament in England in the 1640's: divide the army.[54] In another letter to Washin ton he reverted to the same metaphor employed by Robert R. Livingston si years before when that gentleman thought that he could "guide the torrent, and bring order perhaps even good out of confusion."[55]

Washington's refusal to play Cromwell reflected his first-hand knowledge of the temper of the army as well as his personal inte rity. The officers, he replied to Hamilton, would not consent to be separated. The army suspected it was being used by Robert and Gouverneur Morris as "mere Puppits to establish Continental funds." The General concluded: "the

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[53]Gouverneur Morris to John Jay, Jan. 1, 1783, Gouverneur Morris Papers, Columbia U.

[54]Hamilton to Washington, Mar. 25, 1783, Hamilton Papers, Columbia U.

[55]Same to same, [Feb. 13, 1783], ibid.

Army (considering the irritable state it is in, its suffering and composition) is a dangerous instrument to play with."[56]

Eight years before, Robert R. Livingston had complained to John Jay that the New York City radical John Lamb was ruining discipline in the army. "The people that compose our army," Livingston wrote,

> think so much for themselves that no general dare oppose their sentiments if he was so inclined. You cannot conceive the trouble our generals have had, petitions, mutinies & requests to know the reason of every maneuver without a power to suspend or punish the offender . . . . Lamb is a good officer but so extremely turbulent that he excites mischief in the army.[57]

Lamb and his like had done their work well. No more in March-April 1783 than in December 1775 dared a general oppose the sentiments of the soldiers, whatever he might be inclined. The common soldier as well as the Commander in Chief saved America from dictatorship in the last days of the war.

Conclusion

So the stalemate continued. And if we ask, Why did the nationalists succeed in 1787-1788 while they failed in 1781-1783?, attention turns naturally to a group which made itself felt at the end of the decade but was scattered and dispersed when it began. This was the urban working-class: a group Charles Beard regarded "outside the realm of politics,"[58] but which we shall argue was the force that finally tipped the scale.

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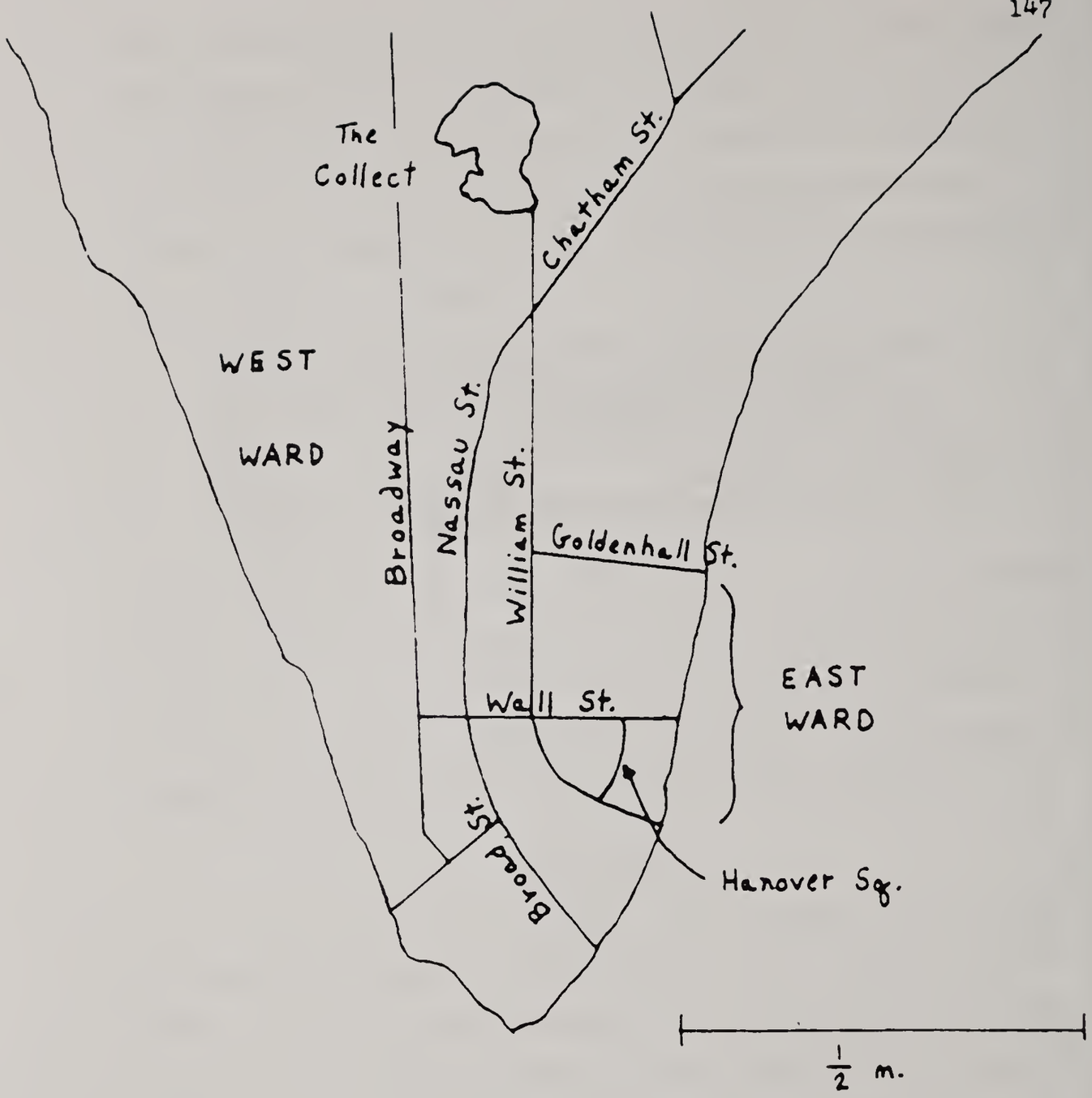
[56]Washington to Hamilton, Apr. 4, Apr. 16, Apr. 22, 1783, Hamilton Papers, Columbia U.

[57]Livingston to Jay, Dec. 6, 1775, Jay Papers, Columbia U.

[58]Beard, Economic Interpretation, 25.

PART II

THE ARTISANS OF NEW YORK CITY



NEW YORK CITY (c. 1785)

CHAPTER VII

THE EVACUATION OF NEW YORK CITY: 1783

A struggle as to who should rule at home raged in the midst of the War for Independence; the struggle for home rule continued after the peace was signed. Fighting had ended, but independence, formally granted, had now to be secured on the field of political economy. "The American war is over," wrote a newspaper correspondent in 1786, "but this is far from being the case of the American revolution."[1]

The Whigs' return to New York City brought back together, and so into state politics, the refugee artisans of the city. Their role was crucial. The artisans made up the bulk of New York City's population;[2] any successful political program would have to capture, or at least divide, their support. Throughout the Revolutionary Era the artisans were the most consistently democratic social group in the state. But when, after 1785, they temporarily shelved their democratic objectives in order to labor together with the city merchants for more vigorous economic measures by a stronger

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[1] New York Packet, June 15, 1786.

[2] In the 1788 parade celebrating the adoption of the United States Constitution, mechanics of more than fifty trades were represented. The marchers of twenty-two trades alone amounted to 2218 men. (New York Packet, Aug. 5, 1788). The 1790 Census put the city's white male population above 16 at just over 8000. See also Chapter XI, below.

central government, the balance of power in state politics tipped away from the Clintonians.

The return to New York City, conceived in bitterness and dedicated to the proposition that Tories should "make room" for Whigs, did not at once inaugurate a period of class collaboration. Indeed the temper of New York City politics in 1783-1785 was as bitter as at any time during the Revolutionary Era. Class conflict was sharpest in Revolutionary New York not during the celebrated ratification struggle of 1787-1788, but earlier, in 1779-1780 and 1783-1785. The theme of the late '80's was not dissension but a growing unity. "Federal ideas begin to thrive in this city," Jay wrote to Lafayette early in 1785.[3] From that date on they continued to spread, engulfing the bulk of the old Sons of Liberty by 1786, the town of Poughkeepsie and Long Island during the ratification debate, and Kingston, principal town of the Anti-Federalist stronghold Ulster County, during the early 1790's.

The evacuation of New York City and the anti-Tory hysteria which followed have been persistently misunderstood as a contest between "liberal" and "humane" figures such as Jay and Hamilton, and radical extremists. This is a most superficial view. Conservative Whigs could be as bloodthirsty toward Tories as anyone. "I think," Gouverneur Morris wrote to Schuyler in 1777, "the Tories should as the common Enemies of Mankind be treated like the Savages. That

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[3]Jay to Lafayette, Jan. 19, 1785, John Jay Papers, Columbia U.

is to say their Houses etc. should be burnt and they themselves destroyed."[4] Schuyler, advocate of forbearance toward Tories in 1784, in 1783 had brought into the New York Senate (with an inflammatory speech, according to one critic) a bill to confiscate the property of many of his later New York City political associates, "in Order," he said, "to eradicate every Hope which the former Proprietors of forfeited Estates may still entertain, that some future Legislature will be prevailed on to make Restitution of the same."[5] The contradiction between such sentiments and the subsequent conciliatory attitude of the New York conservatives toward erstwhile Tories, needs to be explained.

The struggle which underlay the difference between those who favored harshness toward the Tories, and those who stood for leniency, has been well suggested by Sidney Pomerantz. "The anti-Tory hysteria," writes Pomerantz, "was not purely emotional in its inspiration, but the accompaniment of an effort to wrest political and economic power from those who because of wealth, position, and experience were most likely to wield it."[6] The latter, of

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[4]Gouverneur Morris to Philip Schuyler, Aug. 29, 1777, Gouverneur Morris Papers, Columbia U.

[5]Senate Journal (Poughkeepsie, 1782), 147, 154-155; "Cato" in New York Daily Advertiser, Apr. 24, 1789. Among those whose property Schuyler's bill would have confiscated, were Richard Harrison, Theophilus Bache, three Waltons, two Laights, and two Ludlows.

It is possible, however, that Schuyler in this instance put himself at the head of a sentiment which he could not avert; see his letter to Alexander Hamilton, May [4], 1783, Alexander Hamilton Papers, Columbia U.

[6]Sidney I. Pomerantz, New York, An American City,

course, were the representatives or associates of the great families, whether Whig or Tory: Duane, who became Mayor of the post-war city, springs at once to mind. The intensity with which these men were opposed by the old Sons of Liberty cannot be explained without a grasp of the terrible economic loss which the war had visited on all but the most well-to-do Whig refugees from New York City.

The total economic loss of the Whig inhabitants who fled New York City in 1776 was estimated by Alexander McDougall at £2,207,000. Estimating that three-fifths of the citizens became refugees, McDougall calculated their loss of seven years' house rent at £987,000, and their loss by fire at £1,220,000.[7] And these were not the only forms of loss. Merchants who put all their savings into Continental securities only to find themselves dunned in 1784 for pre-war debts to British merchants, complained long and loudly throughout the 1780's, as will appear below. Mechanics suffered also, although their complaints are not so readily available. Thus Daniel Dunscomb, chairman of the Committee of Mechanics before the war, lost not only two houses which he had pledged for security in borrowing £500 from the state Loan Commissioners, but also £500 of ironware removed to Peekskill and Mamaroneck and captured while Dunscomb attended the Provincial Convention, and £300 of furniture and country

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1783-1803 (New York, 1938), 79.

[7]McDougall Papers, N.-Y.H.S. Memorandum misplaced in Box 1 and called to my attention by Robert J. Christen.

goods destroyed when the British burned Kingston.[8] Henry Bicker the hatter and Thomas Ivers the rope-maker, two political leaders of the post-war mechanics, petitioned the legislature on behalf of city tenants whose proprietors had refused to let them resume leases which, when the war began, had not yet expired.[9] The currier John Fargo and the shoemaker John Stephens, describing themselves as 'Master Workmen . . . unable to renew their former occupations,' asked to be made inspectors of leather.[10] So-called Tories were among the sufferers, too. The merchant John Turner had left New York City with a family of fifteen in July, 1776. After selling £1500 of dry goods at Philadelphia for a loss, he bought two farms, but learned he could not hire labor because of the frequent militia calls. At the end of 1778 he returned to New York City, only to discover his house torn to pieces. After collecting one-twentieth of his debts, Turner at war's end found himself (at least according to his own statement) owed £800 but owing £1900.[11]

Dozens of such case histories fed the bitterness of the New York City exiles as, after their seven lean years, they received the news of the preliminary treaty with England in March, 1783. '<u>Peace</u> is the topic,' wrote Christopher

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[8]Petition Jan. 20, 1784, Senate Legislative Papers, X, Box 2, N.Y.S.L.

[9]Petition Apr. 9, 1784, <u>ibid.</u>, X, Box 1.

[10]Petition Jan. 27, 1784, <u>ibid.</u>, IX.

[11]Petition Feb. 22, 1784, <u>ibid.</u>, X, Box 2.

to Evert Bancker, "every Yorker anticipating the pleasure they will enjoy when Restored to their Possession in the City."[12] But it was not to be quite that simple.

A British City

The return to New York City by the American army under George Washington, who a few days afterwards bid his officers farewell at Fraunces Tavern, is one of the great moments of American history and a many-times-told tale. It is a tale full of sound and fury, which signified everything in setting the stage for the politics of the post-Revolutionary city.

New York City was the heart of the British effort in America. Even before the British occupation, it was the stronghold of American Loyalism. Only in New York City was the mercantile class predominantly Tory.[13] It was estimated in the early years of the Revolution that two-thirds of the property in the city and its suburbs belonged to Tories.[14]

The seven-year British occupation, from September 1776 to November 1783, enhanced the city's reputation, in Whig minds, as the Babylon of American Toryism. During the spring

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[12]Christopher to Evert Bancker, Feb. 18, 1783, Miscellaneous Bancker Papers, N.-Y.H.S.

[13]Virginia Harrington states that of 104 members of the New York Chamber of Commerce in 1775, 57 became Loyalists and only 26 Whigs (The New York Merchant on the Eve of the Revolution [New York, 1935], 349). For the relatively stronger Whig sentiment among the merchants of other cities, see Carl Bridenbaugh, Cities in Revolt (New York, 1955).

[14]Alexander C. Flick, Loyalism in New York, 153.

and summer of 1776, most of the more than 20,000 residents of New York City left; after the bombardment of the city by the British man o' war Asia in August, one-third of the population was said to have fled in two weeks.[15] The number of exiles was estimated, both at the time and by later scholars, as about 15,000.[16] This would have brought down the city's population to less than 10,000 in the fall of 1776; so when we learn that in the course of the war the British evacuated 29,000 persons from New York City for Nova Scotia alone,[17] we realize that the city's wartime population consisted largely of strangers.

They were, of course, Tory strangers. New York City "became a receptacle to the disaffected of every Colony in the Union,"[18] who slipped in from upstate New York or flocked off the ships which evacuated Philadelphia and Charleston. Fifty of the two hundred ships which evacuated Charleston landed their passengers in New York City.[19] The refugees

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[15]Thomas Wertenbaker, Father Knickerbocker Rebels (New York, 1948), 63.

[16]Oscar Barck, New York City During the War for Independence (New York, 1931), 76-77. See also Alexander McDougall's estimate, above, n. 7.

[17]Claude H. Van Tyne, Loyalists in the American Revolution (New York, 1902), 293.

[18]Abraham Yates, writing as "Rough Hewer," draft dated Dec. 25, 1795, Yates Papers, N.Y.P.L. Other quotations from Yates in this chapter are from this source. On New York City as a center for Tory refugees, see also Wertenbaker, Father Knickerbocker Rebels, vii; Flick, Loyalism in New York, 181.

[19]Van Tyne, Loyalists in the American Revolution, 289.

sweating out the war behind American lines saw their city made the headquarters of the British army, the recruiting center for most of the Tory provincial regiments, the base from which the Associated Loyalists set out on their marauding expeditions. Half of the armed men recruited in America for the British army and navy and for the Loyalist militia are estimated to have come from New York.[20]

The refugees saw also--and it was this that filled their minds in the summer of 1783--new men taking over the economic life of the city. Loyalist mechanics coming off the British boats moved into the homes and shops of refugee artisans.[21] Six thousand men in the occupied city were employed by privateering alone, and new merchants sprang up "like mushrooms."[22] If the Whigs later ruthlessly confiscated Tory property, in violation of the peace treaty, they justified themselves by charging that Lord Howe had come to America with blank conveyances for confiscating the city property of the refugee Whigs.[23] "This was not only understood so," Abraham Yates recalled, "by the friends of government, but also by the German troops, even before they left Germany. They supposed upon the conquest of the

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[20] Ibid., 182-183; Wertenbaker, Father Knickerbocker Rebels, 215.

[21] Wertenbaker, Father Knickerbocker Rebels, 217-218.

[22] Ibid., 206-212.

[23] "Brutus," To All Adherents to the British Government and Followers of the British Army Commonly called Tories [Poughkeepsie, Aug. 15, 1783], broadside, N.-Y.H.S.

Americans, they would be put in the possession of all the Whigs houses and farms, furnished and stocked [,] and many of them had brought over their families under that expectation." In August 1783 the refugee pamphleteer "Brutus" asked the remaining Tories in the city: "Are not many of your houses decorated with our furniture? which you most audaciously confess to be the 'spoils of rebels,' an appellation become rather unfashionable among you of late." No one could deny that Loyalist patriots in and around the city were cultivating the farms of refugees.[24]

If by some miracle, therefore, Sir Guy Carleton could have instantly evacuated the city in March 1783, when the terms of the preliminary peace treaty were received in America, an enormous economic displacement, an endless tangle of contested contractual obligations, a "dead-lock in private affairs,"[25] was absolutely inevitable. Whigs owed money to Loyalists, Loyalists owed money to Whigs.[26] Emancipated Negroes, who had flocked into the British lines just as in the Civil War they would come into the lines of the Union army, were concentrated in New York City: George Washington made their return the first point on his agenda

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[24]Van Tyne, Loyalists in the American Revolution, 248.

[25]The phrase is Martha Lamb's, History of the City of New York (New York, 1880), II, 280.

[26]Thomas Jones recounts the efforts of Loyalist creditors to recover their debts before evacuation (History of New York during the Revolutionary War (New York, 1879), II, 263 ff.). Of Tory debts to Whigs, "Brutus" said: "Can an instance be produced where any of you have had the honor or honesty to pay a debt to one who resided without your lines?"

when he met with Carleton to discuss the terms of evacuation, but in the end an estimated 3000 freed Negroes were embarked.[27] Tradesmen and mechanics on James Delancey's West Farm, tenants before the war, had purchased their leaseholds from the British occupation administration; would they be allowed to keep them when the refugee Whigs returned?[28]

No matter how quickly the evacuation had been accomplished, nothing could have prevented such consequences of re-occupation as a swollen volume of litigation in the Mayor's Court; petitions to the city Common Council for remission of back rent on lots belonging to the city, petitions to the New York legislature for remission of import duties while merchants re-established their firms;[29] and a fixed determination on the part of the returning refugees to extract compensation--whether by Trespass Acts, non-payment of debts, or discriminatory taxes--for their losses during the war. One Whig exile wrote to another in July of the refugees' condition:

> Many of them are destitute of every thing but public virtue and fortitude. How are they to be accomodated with houses? Who must turn out and by what means must preference be decided? . . . I will as far as I have agency or influence endeavour to have all done in a Regular Legal way. But the Tory must make Room for us.[30]

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[27] The Iconography of Manhattan Island (New York, 1915-1928), ed. Isaac N. Phelps Stokes, V, 1162, 1175.

[28] Harry B. Yoshpe, The Disposition of Loyalist Estates, 33-36.

[29] Minutes of the Common Council of the City of New York, entries throughout 1784; Assembly Journal (New York, 1784), 63, 66-67.

[30] William Malcom to James Duane, July 20, 1783, Duane Papers.

All this could have been expected had evacuation taken place immediately in March, 1783: but it was not completed for eight months! In that painful pause every sentiment of vengeance, every insecurity about recovering a home or restoring a means of livelihood, waxed strong. "We alone of the whole federal union," wrote Duane in August, "are still in the painful situation of Exiles."[31] Resentment of the British delay became mixed with suspicion that fellow-Americans would filter into the city and monopolize post-war opportunities.

This was an altogether realistic suspicion. As early as February, Robert R. Livingston wrote of the city's houses that "the Eagle Eyes of speculation have already marked the best of them for their own"; in March, William Floyd warned Governor Clinton that if evacuation were delayed but access to New York City made possible, "great speculation would be carried on."[32] Access was made possible. By order of General Carleton on February 18 and March 27, Whigs were permitted to enter the city, visit their estates, and make inventories of their property. In April, William Smith noted in his diary that more than two thousand former residents were in the city; John Morin Scott wrote on April 30 that "a very great part of our Inhabitants have been in motion

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[31]James Duane to William Malcom, Aug. 12, 1783, Duane Papers.

[32]Robert R. Livingston to George Clinton, Feb. 19, 1783, and William Floyd to Clinton, Mar. 25, 1783, Clinton, Public Papers, VIII, 78, 94.

this Fortnight past to New York"; Loyalists wrote to the English newspapers that "the town now swarms with Americans," "New York is filled with persons from different States."[33]

Not all of the Americans in the city during the spring and summer of 1783 were former residents. New Englanders, Jonathan Edwards' son among them, swarmed in "to drive Schemes of Commerce."[34] Refugees of wealth and good family, moreover, seemed to find it easier to recover their property than did refugees of humbler station. A Philip Schuyler could write directly to the British commander that a young son-in-law, named Alexander Hamilton, would come into the city to recover Schuyler's property; and Sir Guy, recalling "the polite attention I experienced many years ago at your house," promised the representative assistance and courtesy.[35] Henry Livingston arranged for John Watts, Jr., to take temporary possession of James Duane's old house when Admiral Digby quit it; James Beekman put his home in the care of Carleton himself; Robert C. Livingston slipped into town to look after his own property and that of his father, the Lord of the Manor.[36] These men at least would have where to lay their heads when evacuation came.

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[33]Wertenbaker, Father Knickerbocker Rebels, 257; John Morin Scott to James Duane, Apr. 30, 1783, Duane Papers; Iconography of Manhattan Island, V, 1159, 1161.

[34]Iconography of Manhattan Island, V, 1156; East, Business Enterprise, 235.

[35]Alexander Hamilton to James Duane, Aug. 5, 1783, Duane Papers; Sir Guy Carleton to Philip Schuyler, Aug. 8, 1783, Schuyler Papers, N.Y.P.L.

[36]Henry Livingston to James Duane, July 16, 1783, and

A year later, when the cream had been skimmed, wealthy Whigs would take high ground on the validity of the Trespass Act; for the present, however, Gouverneur Morris arranged with Carleton to receive full damages for the spoilage of Morrisania, while many Whigs of more moderate means returned to the city only to find that they could not re-occupy their homes without first paying a quarter's rent. Many were forced to split up their families and board them with friendly farmers.[37]

Committees Again

A cry for retaliation arose in these circumstances which further prolonged evacuation by making many more Loyalists--15,000 more, according to one estimate[38]--decide to leave New York City. The demand for retaliation was voiced by that familiar organ of the Revolutionary radicals, the popular committee.

The committee system has been generally supposed by historians to have died with the creation of the constitution

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Robert C. Livingston to same, May 20, 1783, Duane Papers; Philip L. White, The Beekmans of New York in Politics and Commerce, 494-495.

[37]In regard to Morrisania, see Jared Sparks, The Life of Gouverneur Morris, I, 264-265, and Select Cases of the Mayor's Court of New York City, 1674-1784, ed. Richard B. Morris, 58 n. For the difficulties of poorer men in recovering their houses, see Iconography of Manhattan Island, V, 1161, 1165, and James Riker, "Evacuation Day," 1783 (New York, 1883), 5.

[38]Lt. Col. William Smith to George Washington, Aug. 26, 1783, quoted in Alexander J. Wall, "The Evacuation of New York City in 1783," History of the State of New York, ed. Alexander Flick (New York, 1933), IV, 206.

of 1777. Yet not only, as appeared in our study of Dutchess, were committees the heartbeat of the radical movement of 1779-1780; they were also very real for contemporaries in the summer of 1783. General Carleton wrote to Governor Clinton that many were being driven from the city by the fear that some

> in the lower Classes at least may take advantage of the Laws past in the Course of the War . . . to give Efficacy to the irregular and inimical Resolutions of the Committee Men, who appear to be an active Bodies [sic] in various Precincts and Districts within the sphere of your Authority.[39]

To the President of the Continental Congress, Carleton wrote of the "sovereignty they [the committees] assume, and are actually exercising."[40]

Americans as well as Britishers testified to the ferment of committee activity. James Duane wrote to his wife in August of the widespread desire of city residents to leave the country "from a Dread of the Resolutions of our Committees."[41] An American officer helping to supervise the evacuation agreed in blaming delays on the "numberless warm publications in our papers and the unconstitutional proceedings of Committees."[42] Alexander Hamilton, too, wrote to

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[39]Carleton to Clinton, July 25, 1783, Clinton, Public Papers (New York, 1933), VIII, 240.

[40]Carleton to Elias Boudinot, Aug. 17, 1783, quoted in Iconography of Manhattan Island, V, 1166.

[41]James Duane to Mrs. Duane, Aug. 21, 1783, Duane Papers.

[42]William Smith to George Washington, Aug. 26, 1783, as cited above, n. 38.

Robert R. Livingston that "some violent papers put into the city have determined many to depart, who hitherto have intended to remain. Many merchants of second class, characters of no political consequence, each of whom may carry away eight or ten thousand guineas [,] have I am told lately applied for shipping to carry them away."[43] The clamor of committee proceedings was heard even across the Atlantic. John Jay, in the midst of negotiating the treaty of peace, wrote to Egbert Benson in September, 1783: "Your irregular and violent popular proceedings and resolutions against the tories hurt us in Europe. We are puzzled to answer the question, how it happens that, if there be settled governments in America, the people of town and district should take upon themselves to legislate."[44]

The committees themselves frankly avowed the purpose of their work. "We know very well," "Brutus" told the New York City Tories, "that the resolutions of the people, published by their committees in the course of this summer, have considerably accelerated your motions."

The most important of the committees of 1783, and the only one whose proceedings have been preserved, is that same group of refugee New Yorkers whom we previously observed at work in 1779. This committee met at Fishkill on July 22, 1783, with John Morin Scott, Alexander McDougall

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[43]Alexander Hamilton to Robert R. Livingston, Aug. 13, 1783, Robert R. Livingston Papers.

[44]John Jay to Egbert Benson, Sept. 12, 1783, Correspondence and Public Papers of Jay, III, 75.

The way subsidiary committees were formed can be

and William Malcom among those present.[45] A seven-man executive committee was created, which met twice during the next six weeks and in September produced a memorial of grievances.[46]

The memorial plainly recited the economic concerns of its signers. Referring to the destruction by fire of 1000 New York City homes, the memorial stated that a very considerable part of the city was reduced to ashes, and the remainder

> in the occupation of adherents to the British government, and followers of the British army, possessed, not only of all the advantages derived from trade and business of every kind, but also of wealth and influence to secure these advantages to themselves.

Hence the memorial asked that houses formerly rented by refugees be returned to them, and that houses on confiscated estates be assigned to accomodate those whose dwellings had been burned. The signers included the respectable merchants Joshua and Comfort Sands.

An economic basis for the threats of the committees was also discerned by Robert R. Livingston. Writing to Hamilton, Livingston analyzed the motives of the committeemen

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glimpsed in a letter from Frederick Weissenfels to John Lamb, written from Poughkeepsie on March 23, 1783, which describes how the precinct assessors had called a meeting "in order to form committees," but had been dissuaded by "some men in power" (Lamb Papers, N.-Y.H.S.).

[45] William Malcom to James Duane, July 20, 1783, Duane Papers; --- to Alexander McDougall, Sept. 2, 1783, Alexander McDougall Papers.

[46] The Memorial of the Subscribers, in Behalf of Themselves and Others, the Refugee Citizens of New-York (Newburgh, Sept. 1, 1783), broadside, N.-Y.H.S.

as follows:

> In some few it is a blind spirit of revenge & resentment but in more it is the most sordid interest[:] one wishes to possess the House of some wretched Tory another fears him as a rival in his trade or commerce & a fourth wishes to get rid of his debts by shaking off his creditor or to reduce the price of living by depopulating the town.[47]

Thus the anti-Tory agitation not only looked backward to the grievances of the past, but also forward to a mighty jostling for economic power and position in the re-occupied city.

Return of the Natives

A double confusion, a double uncertainty, therefore hung over New York City as the tense summer of 1783 dragged into autumn. On the one hand, there was the physical chaos of sudden mass evacuation. As ship after ship dropped down the bay,

> down on the docks army commissioners were selling surplus stock--cattle, wagons, horses, firewood; on Queen Street there was one auction after another, as the departing merchants disposed of all goods they could not take with them; here one dealer was selling bricks, here another a pile of heavy timbers, there still another barrels of sugar, molasses and rum.[48]

An American in the city in August saw auctions everywhere and sentries posted every hundred yards.[49] Although commerce between New York City and other American ports was permitted after March, the general confusion prevented the orderly

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[47]Robert R. Livingston to Alexander Hamilton, Aug. 30, 1783, Robert R. Livingston Papers.

[48]Wertenbaker, Father Knickerbocker Rebels, 264; see also Barck, New York City, 214, and Flock, Loyalism in New York, 143 n.

[49]--- to ---, Aug. 30, 1783, quoted in The Memorial

carrying-on of business. "Except theft and pilfering," a newspaper stated in September, "there is very little business carried on at present."[50]

This was one kind of chaos. Men of standing and property, whether Whig or Tory, dreaded a second chaos: mob violence when patriots finally returned to the city. It was "throo fear of a Mob or Rable," Cadwallader Colden told George Clinton, that "numbers of Usefull honest Men drove out of" the city; the fears of the departing Loyalists, Samuel Loudon wrote to McDougall, "seem principally to arise from . . . the mob, who they suppose will be let loose upon them."[51] Leading Whigs shared these fears. Twice in August Governor Clinton received affidavits attesting that hundreds of men had combined to plunder New York City when the refugees returned.[52] "I fear this entry into New York and the consequences to be apprehended," Malcom wrote to Duane, "more than anything during the war."[53]

The presence of Washington's troops in the return to the city on November 25, owed much to this fear of mob violence. All through the summer, Yates wrote, there had been

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History of the City of New-York, ed. James Grant Wilson (New York, 1892), II, 550.

[50] Iconography of Manhattan Island, V, 1167.

[51] Cadwallader Colden to George Clinton, July 26, 1783, Clinton, Public Papers, VIII, 223; Samuel Loudon to Alexander McDougall, Sept. 26, 1783, McDougall Papers.

[52] Clinton, Public Papers, VIII, 236-237, 244-245.

[53] William Malcom to James Duane, July 20, 1783, Duane Papers.

a "continued scene of disorder" in the city. "General Carleton with all his troops had as much as he could do to prevent excesses. This gave rise to an idea that it would be impracticable to govern the city without a military force."[54] Other observers concurred:

> The inhabitants of New York were threatened when the British should decamp, with indiscriminate plunder and future confiscations. Many inoffensive citizens, not otherwise easily terrified, had their apprehensions on this score--they knew well enough that vagrant and predatory combinations . . . would not be backward. . . . To give perfect ease and security to the people of New-York, it was necessary that a detachment of well-disciplined troops should accompany their favorite chief into the capital.[55]

Hence, on the eve of entrance into the city, each battalion of American troops was ordered to have a company lay on its arms for twenty-four hours to prevent disorders.[56] Hence the light infantry battalion of the Continental Army remained in the city for weeks. On the evening of November 25, over a celebratory glass at Fraunces Tavern, William Malcom told Alexander McDougall and Richard Lewis that "the Troops were brot here to dragoon the Citizens . . . there was no need of them."[57] Malcom and McDougall would be on opposite sides of the political broils ahead.

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[54]See above, n. 18.

[55]"Marvel," N. Y. Daily Advertiser, Mar. 17, 1789.

[56]Orders of Brevet Brigadier-General Henry Jackson, Nov. 24, 1783, quoted in Wilson, Memorial History, II, 556 n.

[57]Alexander McDougall to Richard Lewis, Dec. 25, 1783, and Lewis to McDougall, Dec. 28, 1783, McDougall Papers.

Conclusion

Beneath the surface of the conflict between "Whig" and "Tory," hostility between rich and poor flourished in New York City in the years 1783-1785. This hostility began not with the return to the city in November 1783, but over six months earlier when the terms of the preliminary peace treaty reached the United States. After March 1783 evacuation was certain, and the thoughts of all exiled New Yorkers turned from the completion of the war to the re-establishment of a livelihood after their seven-year absence.

Contractual tangles and economic frictions were inevitable in the confused context of defeat and evacuation, but the long delay before evacuation was effected sharpened the inescapable bitterness and resentment. Refugees of humble means, who lacked connections in the occupied city, feared with some justification that more well-to-do exiles were securing a stranglehold on future economic opportunities as the summer months went by. The party antagonisms which were to last until the mid-decade had crystallized by the time the first soldier of General Washington's victorious army again set foot on Broadway.

CHAPTER VIII

WHIGS AGAINST TORIES: 1784

From the morrow of their return to New York City until the early summer of 1785, the artisan class of New York City, under the banner of anti-Toryism, attacked the well-to-do merchants of the city. From mid-1785 until the ratification of the United States Constitution, and on for several years into the early 1790's,[1] the same artisans worked with the same merchants on behalf of stronger national government and more vigorous central economic planning. But their motives were the same in both the early and later years of the Critical Period. National independence and a well-paying livelihood were the mechanic's persistent aims. In the early and late '80's alike these aims involved also opposition to Great Britain and to presumed dependents of the British in America.

In the eyes of the artisan in the mid-1780's, as for the well-to-do conservative in the "counter-revolution" of 1780 and 1783, no contradiction existed between immediate, personal economic interests and the patriotic goal of sustaining the national economy and preserving national

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[1]New York politics in the 1790's are exhaustively examined in the forthcoming work of Alfred Fabian Young, presently available as "The Democratic Republican Movement in New York State, 1788-1797" (unpublished Ph.D. thesis, Northwestern U.), 1958.

independence. The first broadened out, in ramifying patterns of economic inter-dependence, into the second. The politics of the ratification of the Constitution have too often been conceived as a dialogue of such discrete economic interests as the "creditor" interest, the "West Indian merchant" interest, and the like. So men may think, perhaps, in a fundamentally stable situation where politics consists in the minute division of an assured quota of prosperity. But in the 1780's, as in the early 1860's or 1930's, the well-being and continued operation of an entire economy, nay, of an entire structure of society, were at stake. Naturally, and realistically, the merchant thought not only of the going price of Jamaica molasses, but also of whether he might sail to the West Indies at all, and of whether, in default of American payments, foreign creditors might occupy the custom-houses of New York and Philadelphia by force; creditors of the government looked not only to the prospective rate of interest on securities, but to whether they would be paid at all, and hence, to the re-channeling of impost revenue to support government credit; and artisans, the particular concern of the present study, were interested in the volume of money and the proportion of United States commerce carried in native bottoms, as well as in higher protective duties on imported British manufactures. If any event were required to bring home to all classes of the city the dependence of every particular livelihood on the general well-being of American commerce, the depression of 1785 did

so with a vengeance.[2]

The inter-dependence of all urban economic interests was seen the more readily because most men had irons in more than one economic fire.

William Goforth, for example, is described in book after book as a "shoemaker," but he also sold rum and dry goods.[3] The ironmonger Peter Goelet also carried saddles and playing cards.[4] Wynant Van Zandt, who called himself a "blockmaker," dealt also in beef and rye.[5] Stewart and Jones, a firm of ship chandlers (suppliers), dealt heavily in such un-nautical items as wine, raisins and bricks, besides buying an interest in numerous ships and serving as general commercial correspondents for certain out-of-town merchants.[6]

In keeping with such diversified entrepreneurial activity, most creditors were also large debtors, and exporters to the West Indies typically used the proceeds to buy goods from Europe. Indebtedness after a disastrous war and a seven-year exile, by 1784, had been the common lot among refugees. Peter VanBrugh Livingston had lost £20,000 during

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[2]The question of whether a depression really occurred in the 1780's, and how serious it was, will be discussed in Chapter X.

[3]New York Journal, Dec. 2, 1784.

[4]Frank Monaghan and Marvin Lowenthal, This Was New York (Garden City, 1943), 71. The authors comment: "The few specialized concerns dealt chiefly in furs or sugar."

[5]"An Account of Monies & Produce Received of Sundry People," Wynant Van Zandt Papers, N.Y.P.L.

[6]Letter book, Aug. 14, 1784 - Sept. 27, 1786, Stewart and Jones Papers, N.Y.P.L.

the war, he told a city Loyalist, "and they all make similar complaints."[7] James Beekman, a wealthy importer of British goods, owed British merchants £2,220 for pre-Revolutionary debts. His assets were considerable but largely frozen: £4,300 tied up in real estate, £4,640 in government securities, and £7,620 in pre-war debts owed to him (only £2,500 of which he was ever able to collect). After failing to obtain a hoped-for £6,000 of back rent under the Trespass Act, Beekman borrowed £2,000 from nine sources between 1783 and 1785; and in 1799, when he retired from business, he was not entirely out from under these obligations.[8] Later we will see that some of the wealthiest merchants went to the wall in 1785, and that at the time of the ratification of the Constitution some Whig merchants, like Peter Curtenius, had still not recouped their war-time losses.

Patterns of foreign commerce showed the same many-sidedness. Thus Philip Livingston, managing the trading enterprises of the Manor and Clermont Livingstons, counted on shipping rum and sugar obtained from the West Indies (where a member of the family resided permanently to handle that end of the commerce) to England in exchange for dry goods.[9] James Beekman, specializing in imports from England,

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[7] Iconography of Manhattan Island, V, 1161.

[8] White, Beekmans of New York, 497-530.

[9] Philip Livingston to Robert R. Livingston, Sept. 1, 1783, Robert R. Livingston Papers, N.Y.H.S. For the Livingstons deep concern in the West Indian trade, see also Robert Livingston, Jr., to James Duane, Mar. 30 and Aug. 7, 1784, Duane Papers, N.Y.H.S.; same to Walter Livingston, Feb. 4,

nonetheless ventured into West Indian voyages during the hard times of the mid-1780's.[10] Federalist and Anti-Federalist merchants did not divide neatly into merchants trading with England and West Indian merchants. If John Lamb imported wine from the Azores and Canaries, so did the former Loyalist, now cashier of the Bank of New York, William Seton; if Charles Tillinghast, the Anti-Federalist, distilled rum, so did a Federalist delegate at the New York ratifying convention, Isaac Roosevelt; if radical David Gelston advertised West Indian goods, so did conservative Daniel Phoenix; while the most notorious of the radical merchants, "King" Isaac Sears, specialized in imports from England. All these men were influenced not so much by the prospects in particular branches of trade, as by general commercial conditions. It is true, as will be shown, that none of the Anti-Federalist merchants of 1788 were primarily importers from England (Sears died in 1786); but we shall argue that they were West Indian merchants because they were outsiders, not outsiders because they were West Indian merchants.

As the story of New York City politics in the 1780's unrolls, therefore, the reader will be well advised to look not for the particular occupations or commercial specialties of the actors on the stage, but for each man's position in

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1785, Robert R. Livingston Papers; Robert R. Livingston to John Jay, Sept. 12, 1782, Correspondence and Public Papers of Jay, II, 337, and same to same, Jan. 25, 1784, ibid., III, 108.

[10]White, Beekmans of New York, 522.

the structure of economic power in the city. If any one economic distinction divided businessmen in post-war New York City, it was the ease with which they obtained access to capital. Conservative businessmen who, like the Waltons, Laights and Ludlows, had remained in the city during the war, had an advantage over the returning refugees. They capitalized on this advantage by creating the Bank of New York. Some of this group could also mobilize out-of-town capital to sustain them through a series of difficult years: thus William Constable, with Robert Morris standing behind him, could continue in the trade with England when less wealthy rivals went down under one or two bad seasons.[11] Anti-Federalist merchants like Melancton Smith and David Gelston were newcomers to the city, and lacked inter-state business connections. Still a third group were Whig refugees like John Broome who, although at first hostile to the Loyalist merchants, drifted into Federalism as the decade progressed because their economic interests were increasingly at one with those of the merchants who had stayed in New York City for the duration.

Finally, there were the mechanics, just as desperate for capital to set up a shop or finance an inventory as the

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[11]See William Constable to James Phyn, Dec. 8, 1787: Robert Morris "had put in £10,000 for Himself & Gouverneur, & offerd us his Countenance & support . . . notwithstanding the American trade had been so unprofitable in general" (Letters 1774-1791, Constable-Pierrepont Papers, N.Y.P.L.). Constable was also a pioneer in the China trade and never gave up his considerable trade with the West Indies.

promoters of more substantial business ventures. The bitter struggle over the incorporation of a Mechanics' Society was not unrelated to the fact that one purpose of the Society was to lend funds, a circumstance hitherto overlooked. Likewise the celebrated political struggle over paper money can be understood, in this same context of the search for capital, as an effort on the part of those who lacked private means of investment, to obtain them through governmental action.

The Politics of Exclusion

It was a few weeks after the grand entrance of the refugees, on November 25, 1783, before the storm of anti-Tory sentiment gathered force. At first the coffee houses swarmed with returning patriots 'shaking hands with one another as joyfully as if they were arrived from the dead.'[12] There has not been the slightest disturbance, Robert R. Livingston wrote to John Jay on the 29th. The Tories' 'shops were opened the day after we came in, & Rivington himself [James Rivington, a notorious Tory printer] goes on as usual.'[13] All was peaceable in New York City, John Lansing reported to Philip Schuyler so late as December 15: more Tories had remained than was expected.[14]

The calm was temporary. William Malcom, in that

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[12]Abraham Beekman, quoted in White, Beekmans of New York, 495.

[13]Livingston to Jay, Nov. 29, 1783, Correspondence and Public Papers of Jay, III, 98.

[14]Lansing to Schuyler, Dec. 15, 1783, Schuyler Papers, N.Y.P.L.

indiscreet conversation with McDougall and Richard Lewis, asserted that if the council appointed by the legislature for the temporary government of the city did not get rid of the twenty or thirty more obnoxious Tories, he and his friends would find a way to do so.[15] Four days later Charles Tillinghast wrote to John Lamb that their mutual friends were asking for the old Son of Liberty; and when, on December 11, Isaac Sears returned from Boston, all the old firebrands--Lamb, Sears, and Marinus Willett--were together again, ready for business.[16] "I confess to you," Livingston wrote Gouverneur Morris on Dec. 20, "my apprehension that a storm is gathering which if it should burst upon us will tear down all the barriers which our weak unsettled government can oppose. We have many people who wish to govern this city and who had acquired influence in turbulent times which they are unwilling to loose in more tranquil times."[17] Lansing, too, had changed his tune. He wrote to Schuyler on the 26th that Lamb, Willett and Malcom were all concerting plans for vengeance. "They say they will in the first place submit the Consideration of what they suppose proper to the Legislature & if they do not comply with their wishes they must try <u>their Hands</u>."[18]

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[15]See above, Chapter VII, n. 57.

[16]Tillinghast to Lamb, Nov. 29, 1783, Lamb Papers; Roger James Champagne, "The Sons of Liberty and the Aristocracy in New York" (unpublished Ph.D. thesis, Wisconsin U., 1960), 478.

[17]Robert R. Livingston to Gouverneur Morris, Dec. 20, 1783, Robert R. Livingston Papers.

[18]Lansing to Schuyler, Dec. 26, 1783, Schuyler Papers,

As if to confirm these prophecies, a handbill appeared addressed to the Tories of the city: "The Whigs take the liberty to prognosticate that the calm, which the enemies of Columbia at present enjoy, will ere long be succeeded by a bitter and neck-breaking hurricane."[19] And on the evening of December 29, 1783, forty-eight hours after the American army had withdrawn to West Point for discharge,[20] a mob led by Sears, Lamb and Willett assaulted the Tory printer, James Rivington. The campaign of Tory persecution had begun.

There can be little doubt that the grievances felt against the city Tories were, at the nub, economic. They took many forms. Did a refugee need a home? Owners of land where the British had built barracks refused to turn the buildings over to the army Quartermaster General; Marinus Willett and John Lasher, charged with the custody of forfeited lands and houses, were forbidden to appropriate structures held by contract from any person before the British withdrawal.[21] Did he seek to re-establish his business? He was likely to find that a Loyalist had been licensed ahead of him.[22] If he attended the first meeting of

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N.Y.P.L.

[19] Pennsylvania Gazette, Jan. 7, 1784, reporting a meeting of Dec. 17.

[20] This point was made by the New York Journal, May 6, 1784.

[21] Timothy Pickering to George Clinton, Dec. 1, 1783, quoted in James Wilson, Memorial History, II, 563; Howard Thomas, Marinus Willett (New York, 1954), 154-155.

[22] Statement of committee of refugee "mechanics, grocers, retailers and innholders," Independent Gazette, Jan. 24, 1784.

the Chamber of Commerce to be held after the evacuation, on January 20, 1784, he found three of the five officers elected in the previous meeting (Gerard and William Walton, Robert Waddell) of May, 1783, present, along with other Loyalists such as William Lowther, John Miller and William Laight.[23] Did he wish to borrow capital? When the proposed Bank of New York published its list of officers later in the spring, he saw another Tory, William Seton, as treasurer, and two more, Daniel McCormick and Joshua Waddington, on the Board of Directors.

No wonder, then, that one refugee protested that "we never had so much to fear from their arms, as from their influence and wealth," and that meetings of the Sons of Liberty and Whig Society called not only for the political disfranchisement of Tories, but also for their exclusion from "advantages of trade and commerce."[24] The leaders of the agitation, according to Alexander Hamilton, sought "to inlist a number of people on their side by holding out motives of private advantage to them; to the trader they say, you will be overborn by the large capitals of Tory merchants; to the Mechanic, your business will be less profitable, your wages less considerable by the interference of Tory workmen."[25]

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[23]Minutes of the N. Y. Chamber of Commerce, photostat, N.Y.P.L.

[24]Independent Gazette, Mar. 11, 1784; New York Gazetteer, Mar. 31, 1784; New York Journal, Apr. 8 and June 10, 1784.

[25]A Letter from Phocion to the Considerate Citizens of New-York, 10-11.

battle we have had with the democracy."[29] Frankly anti-democratic, also, was Gouverneur Morris' comment at the time: "I think the superior advantages of our constitution will now appear in the repressing of those turbulent spirits who wish for confusion, because that in the regular order of things they can only fill a subordinate sphere."[30]

Most refugees, as Alexander Hamilton later remarked, favored action against the Tories "not indeed in the shape of mobs and riots, but of law; banishment, disfranchisement, and the like."[31] They turned, therefore, to the state government, which by its policies in such fields as taxation, trade regulation, and suffrage legislation, could greatly influence the struggle for power in New York City. In December, 1783, barely a month after the refugees' return, seven men were elected to represent the city and county of New York in the state Assembly. Few but refugees dared to vote.[32] The chosen seven were Sears, Lamb, Willett, Henry Rutgers, John Stagg, William Malcom, Robert Harpur, Hugh Hughes, and Peter Van Zandt: every one a radical Son of Liberty, every one a nominee of the Mechanics' Committee.[33] Their selection

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[29]Robert Troup to Rufus King, Apr. 4, 1809, quoted in Dixon Ryan Fox, The Decline of Aristocracy in the Politics of New York (New York, 1919), 107-108.

[30]Gouverneur Morris to John Jay, Jan. 10, 1784, Correspondence and Public Papers of Jay, III, 104.

[31]Hamilton writing as H--- G---, New York Daily Advertiser, Mar. 17, 1789.

[32]Colonel Hamilton's Second Letter from Phocion (New York, 1784), 35.

[33]See the broadside of the Mechanics' Committee,

followed a hot exchange of broadsides. "A Battered Soldier" urged the "Whig Mechanicks" of the city to choose men who had been "faithful from the ever memorable period of the Stamp-Act." "On your Union," the battered soldier continued,

> depends the future fate of the Whig Interest in this City and County: And if you fail herein, you may depend on it, that you and your Children, will soon become Hewers of Wood, and Drawers of Water, to the Tories in this State.[34]

Much has been made of the harshly anti-Tory legislation passed by this New York legislature of early 1784; but in view of the temper of the times, what was remarkable was its mildness. The confiscation and immediate sale of Tory lands merely implemented the laws of 1779-1780, whose application to the Southern District of the state had been delayed pending its reoccupation.[35] Discriminatory taxation, likewise, represented simply the application to the city and county of New York of a system already in operation elsewhere in the state. A considerable portion of the £100,000 assessment never was collected.[36] The celebrated Trespass Act, empowering refugee property-owners to collect rent and damages from Tories who had occupied their properties, was nullified

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Dec. 27, 1783, N.-Y.H.S.

[34]Broadside, Dec. 23, 1783, N.-Y.H.S. See also the broadside entitled, To the Mechanics and Free Electors of the City and County of New-York, and one signed "Cincinnatus," both for the same date and in the same collection.

[35]See the New York Assembly's action on Mar. 19, 1782.

[36]See the petitions of the unfortunate collectors of this tax, Senate Legislative Papers, XI, Box 2, N.Y.S.L.

in August by the decision of the Mayor's Court of New York City in Rutgers v. Waddington.[37] The one really substantial step taken by the spring legislative session of 1784 was the passage of a rigorous election law, which rejecting the requirement of a loyalty oath as inadequate, specified six kinds of acts as constituting Toryism, with consequent disfranchisement.[38] But even this law did not permit the radical ex-refugees to retain their Assembly seats, for they were one and all defeated in the next election of May, 1784! Banishment, with attendant new confiscations, was much talked of in public meetings, but apparently never even suggested in the state legislature.

If at any time in the Revolutionary Era a genuine social overturn was possible, this was the moment. Why, then, no Jacobins in New York City? If the most recent student of the pre-war Sons of Liberty is right in saying that the city in 1776 was on the verge of radical upheaval, and 'only the timely invasion of Long Island by the British saved the aristocrats from a political crisis of an explosive character,'[39] what blunted the radical sword when the Sons of Liberty re-

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[37]The critical question was whether damages could be collected for occupation under a British military order.

[38]This law of May 12, 1784, also merely re-asserted a previous law, passed March 27, 1778 (Laws of New York, First Session, Ch. 16). However, since another law (passed Mar. 26, 1781; Laws of New York, Fourth Session, Ch. 36) enacted during the war was more lax in its requirements, the statute of 1784 served the purpose of resolving an ambiguous situation in the direction of severity. For illuminating comment, see Address to the Citizens of this City (Apr. 23, 1784), broadside, N.-Y.H.S.

[39]Roger Champagne, 'Sons of Liberty,' 452, 508.

turned to New York City?

The answer is partly that the old radical leaders had grown fat and changed. Alexander McDougall was now openly aligned with the conservatives, who used him as a figurehead for the Bank of New York. Isaac Sears, on his return to New York City, moved into No. 1 Broadway, the residence formerly occupied by the British general, Henry Clinton.[40] John Lamb and Marinus Willett received political plums, the posts of Customs Collector and Sheriff, and like their counterparts in Charleston thus became, unnaturally for them, "duty-bound to oppose riots."[41] Paper money is sometimes considered the kernel of radical law-making in the Critical Period. It is a remarkable fact that when the mechanics of New York City petitioned their Assemblymen in March, 1784, for the issuance of bills of credit, every one of their "radical" representatives opposed it![42]

More important as a deterrent to social revolution was the preoccupation with private affairs. "Mentor," in replying to "Phocion," had warned: "Let us consider the indigence

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[40]Robert J. Christen, "Isaac Sears" (unpublished Master's essay, Columbia U., 1953), 50.

[41]Richard Walsh, Charleston's Sons of Liberty (Columbia, 1959), 121. This may have been the intention. It was a familiar practice in Stuart England, e.g., in February 1626 Charles I "called a new parliament, first taking care to appoint leading opposition members in the previous parliament . . . as sheriffs so as to disqualify them from election" (Maurice Ashley, England in the Seventeenth Century [Baltimore, 1954], 58).

[42]Assembly Journal (New York, 1784), 74, 108. It should be noticed that Lamb and Willett were no longer members of the city representation at this time, having retired when appointed to public office.

which the ravages of a long and accursed war have created in the other party [the refugees], which must cause them assiduously to attend to their own private concerns. . . . In a little time the last spasms of the republican spirit will be over, the meager ghost of poverty, with all her train of evils, being constantly before them, every other consideration will yield to the spur of necessity."[43] It was only too true. In February, Constable found "no business nor any appearance of it," but newspaper correspondents called the Sons of Liberty to turn their attention to commerce; in March, it was reported that the people wanted only regular government and courts "of judicature to be settled, in order to make it a flourishing city for trade."[44] Many hands set to work to create a representation expressive of this mood, and for weeks before the May elections Whigs warned each other in the press of the audacity of Tories and the sinister "coalitions" being formed.[45] In vain. After the conservative victory, Robert R. Livingston commented mellowly:

> During the last election in the City the Contest was warm & the issue was what naturally might have been expected when one of the parties was so jealous of power as to endeavour to exclude property & abilities from the weight that they must & will have in

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[43] Mentor's Reply to Phocion's Letter (New York, 1784), 11.

[44] William Constable to Richard Carson, Feb. 3, 1784, Constable Letters, 1774-1791, Constable-Pierrepont Papers; New York Packet, Feb. 26, 1784; New York Gazetteer, Mar. 22, 1784.

[45] Independent Gazette, Feb. 26, 1784; Independent Journal, Apr. 21, 24, 28, 1784; New York Journal, Mar. 18, Apr. 22, 1784.

every society. Things are settling down upon their old foundation.[46]

In like key Alexander Hamilton told Egbert Benson early in June: "Nothing new here except that the Whigs by way of eminence (as they distinguish themselves) are degenerating fast into a very peaceable set of people."[47]

The decision in Rutgers v. Waddington raised a temporary storm: see the protest of a committee headed by Melancton Smith.[48] But that same fall the first Tory was elected to political office in post-war New York City, Nicholas Bayard defeating Thomas Ivers as alderman for the Out Ward. A year later it was said that Tories voted and were elected equally with Whigs.[49]

As late as the elections to the ratifying convention of 1788, some politicians would attempt to rally votes with the cry of "sheltered aliens and strangers,"[50] but the slogan had lost its mass appeal years before. New issues, new alignments, were by the middle of 1784 thrusting themselves into the scene. The language of anti-Toryism was used to articulate the emerging conflict of merchant and mechanic.

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[46] Robert R. Livingston to Charles DeWitt, May 9, 1784, Robert R. Livingston Papers.

[47] Alexander Hamilton to Egbert Benson, June 8, 1784, Hamilton Papers, Columbia U.

[48] New York Packet, Nov. 4, 1784.

[49] New York Journal, Sept. 29, 1785.

[50] Once More For The Liberties of the People of America, Apr. 2, 1788, broadside, N.Y.H.S.; New York Journal, May 1, 1788.

Restless Mechanics

"You have," the Lord of Livingston Manor wrote the Mayor in March, 1784, "a number of restless macannicks . . . who wish to see all their craft out of it, that they might ingross all to themselves."[51] The restless mechanics were the backbone of radical Whiggism in 1784, just as before the Revolution they were the group most uniformly identified with the Sons of Liberty.[52] Indeed in every American city, the artisan class was the most consistently radical group throughout the Revolutionary Era.[53] Espousing neither the Federalism of wealth nor the rural parochialism of Anti-Federalism, the mechanic class stood for both nationalism and democracy, an ideology memorably expressed by the former staymaker, Tom Paine. Alone among the social groups of the new nation, the mechanics were in the forefront both of the struggle for home rule, and the struggle over who should rule at home.

The contemporary term "mechanic" has caused some difficulty, because it was applied both to wage-laborers and to petty entrepreneurs. As Carl Bridenbaugh puts it: "Artisans, shopkeepers, and tradesmen and their families, composed perhaps two thirds of the inhabitants of each Northern community [city] and a little less than half of Charles Town. They

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[51]Robert Livingston, Jr., to James Duane, Mar. 22, 1784, Duane Papers.

[52]See Roger Champagne, "Sons of Liberty," 3.

[53]For Charleston, consult Richard Walsh, Charleston's Sons of Liberty, 135.

were somewhat contemptuously branded 'Mechanicks' and 'Tradesmen' by the upper classes."[54] While "mechanics" who had time and money to go into politics--for example, in New York City, William Gilbert, William Goforth, Robert Boyd and Thomas Ivers--were likely to be entrepreneurs rather than laborers; and while, too, mechanics' committees and societies seem to have been limited to employers; nonetheless there can be no question that the majority of those called "mechanics" were laborers, not employers. Judging from the published lists of mechanics who marched in the parade celebrating the adoption of the United States Constitution in 1788, perhaps a third of the mechanics were master workmen, another third journeymen, and the remaining third apprentices. Among the cabinet-makers in the procession there were 1[illegible] master workmen, 20 journeymen and 30 apprentices; among the coopers, 138 master workmen and journeymen, and 55 apprentices.[55] The "mechanic" was sometimes also distinguished from the "laborer," as a craftsman rather than a mere roustabout.[56]

The term "mechanic" was thus used in a loose way which <u>might</u> refer to a dockhand living in a miserable waterfront shanty or to a genuine proletarian in the area of industrial enterprises (furnaces, potteries, breweries, tanneries, ropewalks, distilleries) south and east of the "Collect," which

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[54]Carl Bridenbaugh, <u>Cities in Revolt</u>, 283.

[55]<u>New York Packet</u>, Aug. 5, 1788.

[56]<u>Ibid.</u>, Sept. 1, 1785.

was to become the notorious Lower East Side;[57] and which *might* refer to a prosperous silversmith like William Gilbert, the assessed valuation of whose property was over £5000;[58] but which *usually* signified an artisan who owned his tools and had been apprenticed to a craft. The mechanic, therefore, was the urban equivalent of the rural "yeoman."

It follows that the group consciousness of the mechanics of the '80's, although intense, was not the class-consciousness of the 1890's or even the 1830's. Strikes were not unknown in New York City: printers, journeymen shoemakers and journeymen carpenters can be glimpsed fighting for wage increases, or resisting wage cuts, during the decade.[59] But the average mechanic must be imagined as aspiring to become a small businessman. This aspiration was well expressed by the seal which the General Society of Mechanics and Tradesmen adopted on its formation in 1785-6: "an aged woman, with a pair of scales in one hand, and a nest of young swallows in

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[57]For the area near the pond called the "Collect," see William Duer, *New-York As It Was* (New York, 1867), 13, and Monaghan and Lowenthal, *This Was New York*, 30; for living conditions among the very poor, Alfred Young, "The Democratic Republican Movement," 55-56.

[58]Anne Barus Seeley, "A Comparative Study of Federalist and Republican Candidates for State Office from New York City, 1790-1799" (unpublished Master's essay, Columbia U., 1959), 38 and Appendix. Miss Seeley puts the average assessed valuation of the property of mechanics who ran for office in the 1790's at about £1,160.

[59]Monaghan and Lowenthal, *This Was New York*, 77 n.; *New York Packet*, Sept. 12, Sept. 15, 1785.

the other, fed by the old one."[60] The image, pointing to exact equality on the one hand, the need for mutual succor on the other, quite catches the tone of mechanic statements in the 1780's. If fifty years later the "workingman's movement" of New York City was still essentially middle-class in outlook,[61] how much more so was this true in 1784.

Yet a distinct sense of hostility existed between mechanics and merchants in post-war New York City, and as the persecution of outright Loyalists went out of fashion, the language of anti-Toryism came to be applied to this domestic conflict. It was easy enough for the artisan to see an enemy in the merchant who imported manufactured goods from England. Only a small further step was required to see in him also a Tory, even when, as in the case of Alexander Hamilton, the butt of such attacks had fought valiantly for the Revolution. In part, the mechanic simply grasped at the most convenient epithet wherewith to belabor men who sneered at his lack of education and refinement. In part, also, the term "Tory," while literally ridiculous, expressed a not unrealistic awareness of the role men like Hamilton and Duane were playing in protecting the property, collecting the debts, and seeking the votes, of persons who were indeed Tories.

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[60] Annals of the General Society of Mechanics and Tradesmen, ed. Thomas Earl and Charles T. Congdon (New York, 1882), 12.

[61] See Walter Hugins, Jacksonian Democracy and the Working Class: A Study of the New York Workingman's Movement, 1829-1837 (Stanford, 1956). For a general view of the mechanic movement in the Revolutionary Era, consult Richard B. Morris, Government and Labor in Early America (New York, 1947), especially 193-207.

Duane resumed his pre-war business of collecting debts for British creditors.[62] Hamilton, who led the legal battle against the Trespass Law, had so many clients seeking protection from the anti-Tory laws that he wrote: "legislative folly has afforded so plentiful a harvest to us lawyers that we have scarcely a moment to spare from the substantial business of reaping."[63]

Mechanics were prominent in the anti-Tory movement from the beginning. When on the eve of entering the city, a "large and respectable number of inhabitants (lately returned from a seven years exile)" met to plan the triumphal parade, the gathering--which asked all who had been in the city during the war to leave--was chaired by the hatter Henry Bicker, and included the silversmiths William Gilbert and Ephraim Brasher, the hatter Thomas Le Foy, the upholsterer Henry Kipp, and several other mechanics.[64] The committee of "late exiled Mechanics, Grocers, Retailers and Innholders" formed after the refugees' return to press their grievances against Tories, included, in addition to Bicker (again the chairman), the tallow chandler Hugh Walsh, the

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[62]Correspondence of James Duane with Messrs. Pipping and Crowley, Sept. 2, 1760, with George Brown of Glasgow, Nov. 7, 1766, and with Phyn and Ellice of London, Aug. 18, 1784, Duane Papers.

[63]Alexander Hamilton to Egbert Benson, Feb. 18, 1784, and to Gouverneur Morris, Feb. 21, 1784, Hamilton Papers, Columbia U. John Lawrence, Morgan Lewis and Richard Varick were three other conservative Whigs who acted as lawyers for Tories (Lawrence, Lewis, Varick and Hamilton to Thomas Mifflin, Dec. 8, 1783, ibid.).

[64]Independent New York Gazette, Nov. 22, 1783.

pewterer William J. Ellsworth, and the saddler John Young.[65] The committee's program already included, in addition to anti-Tory measures, the mechanic demands which would dominate after 1785: repayment of the public debt; import duties on British manufactures; retaliation against British vessels; and "a serious attention to the mercantile interest, convinced, that on this principally depends, the welfare and importance of this city."[66]

The unsettled economy of the post-war city sharpened the latent social antagonism between "Whig" mechanic and "Tory" merchant. Noah Webster once commented on the New York City tradition of friendly intercourse between social classes. "The principal families," he wrote, "by associating, in their public amusements, with the middling class of well-bred citizens, render their rank subservient to the happiness of society, and prevent that party-spirit, which an affectation of superiority in certain families in Philadelphia, has produced in that city." But Webster noted that the Revolutionary War had worked a change. "Several causes," he continued, "have operated to diminish the sociability of the citizens of New York, particularly the change of inhabitants and the loss of property, during the ravages of war, and the unfavorable state of business since the establishment of peace."[67] The

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[65] New York Packet, Feb. 19, 1784.

[66] Independent Gazette, Jan. 29, 1784.

[67] "Description of New York," The American Museum, March 1788.

wealth per capita in the West Ward was $66, in the East Ward $131.[73] Much of the west side had been burned in the great fire of 1776 which took one thousand homes. After the war, the area was new and unfinished, partly unpaved, with "inferior homes" and much cheaper land prices than further south and east: on the eve of the Whig re-entry, Gouverneur Morris recommended this neighborhood to Robert Morris as the best part of the city in which to speculate.[74] Not surprisingly, the tax rolls of the west side read like an inventory of New York City mechanics.[75]

Adolescent gangs and adult voters in New York City divided east and west.[76] The old Sons of Liberty had made their headquarters on the upper west side, at 317 Great George Street near the corner of Murray and Broadway.[77] After the war, the West Ward elected silversmith William Gilbert

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[73]For the electoral census, see New York Daily Advertiser, Jan. 15, 1791.

[74]Duer, New-York As It Was, 11. For land prices, see Monaghan and Lowenthal, op. cit., 72-73; T.E.V. Smith, op. cit., 27-28. Their figures indicate that a square foot of building lot on the upper west side cost one-third to one-half as much as a square foot on the lower east side. For Morris' recommendation, see Gouverneur Morris to Robert Morris, Nov. 22, 1783, Gouverneur Morris Papers, Columbia U.

[75]"Tax-Payers of the City and County of New York, 1793," N.-Y.H.S. Thus the mechanic names of William Gilbert, Robert Manley, Thomas LeFoy, James Kip, John Middelburger, Garret DeBow and William Mooney jump to the eye on the first page of the roll for the Fourth Ward (upper west side).

[76]For the gangs, see William Duer, New-York As It Was, 5 n.

[77]T.E.V. Smith, City of New York, 11.

as alderman every year until, in 1788, Gilbert moved up to the state Assembly. In the conservative landslide of 1784, the West Ward alone "was almost unanimous in favor of the list nominated by the Sons of Liberty."[78] The political contrast of east and west may be illustrated by the following returns from this election:[79]

	East Ward	West Ward
Conservative slate	Highest candidate 73 Lowest candidate 57	Highest candidate 16 Lowest candidate 11
Radical slate	Highest candidate 30 Lowest candidate 25	Highest candidate 74 Lowest candidate 67

The mechanics' sense of separateness was expressed through their Mechanics' Committee. Because the General Society of Mechanics and Tradesmen was founded only in November 1785, historians have failed to recognize that a general committee of mechanics existed and functioned throughout the previous two years. The committee of mechanics which from 1774 till the Whig exodus from New York had replaced the Sons of Liberty as the leading radical organization,[80] reappeared as soon as the Whigs returned to the city in November 1783. It met in December 1783 and several times in the spring of 1784.[81] The committee's quest for incor-

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[78] New York Journal, Apr. 29, 1784.

[79] Independent Journal, May 1, 1784.

[80] Carl Becker, Political Parties, 120.

[81] Broadside of Mechanics' Committee, Dec. 27, 1783, N.-Y.H.S.; New York Packet, Jan. 15, 1784; New York Journal, Mar. 18, 1784; Independent Journal, May 12, 1784; New York Packet, May 31, 1784. The Mechanics' Committee was one of several groups forming the committee of exiled mechanics,

poration, a burning political issue early in 1785, began a year earlier when Henry Bicker and others petitioned the legislature for incorporation on May 7, 1784.[82]

Conclusion

The issue of mechanic incorporation, and the larger question of the place of mechanics in society which the issue symbolized, were by 1785 very nearly all that remained of the anti-Tory hysteria which dominated New York City politics in the first year of peace. In October, 1784, a newspaper correspondent sounded the old note by remarking: "The law for tarring and feathering is not repealed, but only suspended. You know the season is not too far advanced, for geese are in their prime about Michaelmas."[83] Typical of the advancing mood, however, was Abraham Bancker's letter of the following month: "Your remarks with respect to Committees . . . is very just. There is little to be got by such Business. I have turn'd my thoughts to other matters, which have a more promising aspect which is the mercantile line."[84]

Three things were forthcoming in 1785-86 to solidify this mood into a merchant-mechanic alliance: the conversion

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grocers, retailers and innholders, mentioned earlier; Henry Bicker was chairman of both groups.

[82] Assembly Journal (New York, 1784), 162.

[83] New York Gazetteer, Oct. 26, 1784.

[84] Abraham Bancker to Abraham B. Bancker, Nov. 3, 1784, Abraham Bancker Papers, N.-Y.H.S.

of a majority of the radical leaders to the Federalist program; a depression; and a similar conversion of the mechanic rank-and-file.

CHAPTER IX

NEW ALIGNMENTS: BANKS, DEBTS AND PAPER MONEY IN THE POLITICS OF THE CRITICAL PERIOD

The fragmentation of the old Sons of Liberty leadership in 1785-1786 was the more remarkable because that party had held together so firmly through the previous twenty years. When in December 1783 "A Battered Soldier" asked the "Whig Mechanicks" of the city to vote for men who had been "faithful from the ever-memorable period of the Stamp-Act," these were not idle words.[1] For example, the following leaders of the radical party in city politics in 1783-1785 had opposed the resumption of importation of British goods in 1770: the blacksmith Robert Boyd, the silversmith William Gilbert, the brewer White Matlack, the manufacturer Isaac Stoutenburgh, the ropemaker Thomas Ivers, the shoemaker William Goforth, the upholsterer Richard Kip, and the merchants John Lamb, Isaac Sears, William Malcom, Peter T. Curtenius, Thomas Hazard, Hugh Hughes, and John Broome. Others who appeared on the anti-importation list of 1770 and figured prominently in the mechanics' movement of the 1780's were Ephraim Brasher, Garrit DeBow, Daniel Dunscomb, John Burger, Nicholas Anthony, John Quackenboss, William Ellsworth.[2] Here was a formidable continuity in personnel.

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[1]Broadside, Dec. 27, 1783, N.-Y.H.S.

[2]New-York Gazette: or, Weekly Post-Boy, July 23 and 30, 1770, lists names favoring and opposing importation,

Moreover, as suggested earlier, the radical Whig refugees from New York City continued true to form during the Revolutionary War: thus John Lamb stirred up grievances among the common soldiers, and William Malcom agitated for a more democratic state constitution. Marinus Willett favored strong price controls, believing a virtuous private trader "as rare in this day as the Phoenix."[3] Robert Boyd, future chairman of the General Society of Mechanics and Tradesmen, was accused of leading the refugees from New York City in a campaign for higher taxes and closer ties with the Continental Congress.[4] The rank-and-file of refugee mechanics were active, too: more than once we hear of the carpenters building ships for the army putting pressure on the state legislature.[5]

One did not break away lightly from a group of political

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with some indication of profession. These invaluable lists, published at the request of the Sons of Liberty, were called to my attention by Robert J. Christen. A good indication of prominence in the mechanics' movement of the '80's is attendance at the founding meeting of the General Society of Mechanics and Tradesmen, Nov. 17, 1785; see the list in Earl and Congdon, Annals, 10-11.

[3]Marinus Willett to John Jay, Dec. 17, 1777, Jay Papers, Columbia U.

[4]Published correspondence of Robert Boyd and Robert Palmer, New York Packet, Apr. 13 and 20, 1780. These letters were called to my attention by Robin Brooks.

[5]See Robert R. Livingston to John Jay, Apr. 20, 1779, referring to "[John Morin] Scotts desire to satisfy the ship carpenters of Poughkeepsie" (Robert R. Livingston Papers); and Jay to Schuyler, July 21, 1777: "The ship carpenters have come down very clamorous and much dissatisfied" (Bancroft Transcripts, Schuyler, N.Y.P.L.).

"friends" forged on the anvils of so many contests. When in 1787 William Malcom voted to repeal certain anti-Tory laws, he apologized at length for differing from those with whom he was accustomed to think and act, and was roundly rebuked by the Sons of Liberty for his pains.[6] Such desertions were much lamented by those hard-core radicals who became Anti-Federalists. "I see too great a disposition," Tillinghast wrote Hugh Hughes in 1785, "in those who call themselves Whigs to connect with Tories."[7]

The forging of political connections between merchants who but yesterday had bitterly opposed each other as Whigs and Tories, proceeded the more naturally because everyday life threw them so much together. These rival leaders did not, like the mechanics, live in separate neighborhoods; rather, their homes were inter-mixed. Of the Sons of Liberty and Anti-Federalist leadership, John Broome lived in Hanover Square, John Lamb on Wall Street, Isaac Sears, Marinus Willett, Nathaniel Hazard and Jonathan Lawrence on Water Street: all in the fashionable southeastern sector of the city.[8] Radical and conservative leaders never ceased to associate in such bodies as the trustees of Trinity Church, the state branch of the Cincinnati, and the anti-slavery movement. The trustees of the property of Trinity Church included

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[6]New York Journal, Feb. 15, June 14, 1787.

[7]Tillinghast to Hughes, 1785, Lamb Papers.

[8]T.E.V. Smith, City of New York, 33, 34, 38-39; William Duer, New-York As It Was, 11 n.

conservative James Duane and radical Isaac Sears.[9] John Lamb narrowly missed election as President and again as Assistant Treasurer of the New York Cincinnati in June 1783;[10] he chaired a meeting of the Cincinnati of the Southern District in March 1784;[11] still more remarkable, Lamb and Marinus Willett were put on the Committee of Funds of the state Cincinnati in July 1787 with--Alexander Hamilton.[12] As for abolitionism, a petition to the New York legislature in 1786 to outlaw the export of slaves was signed by almost every public figure in the city, including John Jay, Robert R. Livingston, James Duane, John Lamb, Melancton Smith, Marinus Willett, John Broome, William W. Gilbert and Alexander Hamilton.[13] Melancton Smith and Jonathan Lawrence, who as New York's delegates to the Continental Congress voted on different sides of the impost question, yet served together in 1787 on the standing committee of the Society for the Manumission of Slaves.[14]

Socially, therefore, the different factions of political leaders were not strangers to each other. They shared common military memories, common interests in the fields of religion and reform. They saluted one another in the streets; dined together at the coffee-houses; together attended monthly

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[9]Independent Gazette, Jan. 29, 1784.

[10]Memorandum of votes in McDougall Papers.

[11]Independent Journal, Apr. 3, 1784.

[12]New York Journal, July 5, 1787.

[13]New York Daily Advertiser, Mar. 14, 1786.

[14]New York Journal, May 24, 1787.

meetings of the Chamber of Commerce, as the minutes of that body show.

Yet it was not social bonds which underlay the Federalist "coalition" of 1785-1788. Powerful economic interests first divided, then drew together, the merchants of New York City. Edmund Morgan has observed that the principles which the Founding Fathers carried to Philadelphia would not have fitted in their pocketbooks. Perhaps not; but the ideological baggage of the ordinary, sharp-eyed, hard-nosed New York City merchant very often had its origin precisely there.

Debts to England

One of the clearest cases of a distinct economic "interest" in post-war New York City is that of the merchants who owed pre-war debts to England. Thomas C. Cochran is in error when he states that "in the records of the merchants to which we have access there is no indication of any large accumulated indebtedness of New York concerns to their English correspondents."[15] On the contrary, that indebtedness was estimated £135,885 sterling in 1784, and £200,000 sterling in 1787.[16] Merchants up to their eyes in debts to England literally covered the waterfront in New York City. The case of James Beekman was summarized previously. Conservative merchants heavily indebted to England included

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[15] Thomas C. Cochran, New York in the Confederation, 165-166.

[16] Memorandum, "Amount of the Petitioning Merchants Debts," N.Y.S.L.; speech by Alexander Hamilton in the New York Assembly, Mar. 20, 1787, Hamilton Papers, Columbia U.

Robert G. Livingston and William Constable.[17] Among the radicals, Samuel Broome and Jeremiah Platt were obliged in 1786 to ask a three-year moratorium on debts over £60, while in the same year Isaac Sears escaped his creditors only by first pleading immunity as an Assemblyman, and then fleeing the country.[18] A petition of merchants indebted to England in 1784 was signed by Henry Remsen, Samuel Broome, Daniel Phoenix, Eleazer Miller, Jr., Jacob Morton, Abraham Lott, John Broom, Viner Van Zandt, Peter Ketteltas, Archibald Currie, William Nielson, Woodward and Kip, Gerard G. Beekman, Jr., Isaac Moses, Thomas Crabb, Peter T. Curtenius, Van Vleck & Kip, John Hunt, Leonard Kip, James Beekman, John I. Roosevelt, Christopher Duyckinck, Peter and Evart Byvanck, Joseph Blackwell, Nathaniel and Thomas Hazard, Jacobus Van

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[17]For Livingston, see Robert G. Livingston to Messrs. Nathaniel and Robert Denison, May 29, 1784, Livingston Family Papers, N.Y.P.L.

For Constable, see the letters of Alexander Ellis and James Phyn (of Phyn and Ellis, a British firm), John Portius (Constable's representative in England), and Constable, William Constable Letters 1774-1791, Constable-Pierrepont Papers.

Constable, according to his own account, risked his life on a trip to the West Indies in 1783 attempting to get money to pay his British debts (Constable to Portius, Apr. 14, 1785). In 1787, he had succeeded in paying 80% of the principal, but none of the interest (same to James Phyn, Dec. 24, 1787). The tone in which Phyn and Ellis addressed one of the principal businessmen in America is suggested by this extract from one of their letters to Portius: "we will agree to receive it in four not exceeding six years in equal payments with interest provided Mr. Constable will find sufficient security for the performance of any such engagement, but on no other condition, we can no longer be put off" (Portius to Constable, Nov. 18, 1787).

[18]Petition of Samuel Broome and Jeremiah Platt to Connecticut legislature, 1786, "Insolvent Debtors," 272-273; petition of Henry Chapman and others to New York legislature in regard to Isaac Sears, Jan. 31, 1786, Senate Legislative

Zandt, Henry Van Vleck, Cornelius Ray, Mary Beekman and Peter Vandervoort--a veritable "Who's Who" of the city docks.[19]

The case of the merchants indebted to England was a strong one. "The influence of the Merchants," they pointed out, "was principally relied upon at the commencement of the late dispute with Great-Britain. . . . Our Committees had consisted principally of them." "At the commencement of the late war, almost every person attached to the principles of liberty, left his habitation [and] took refuge in the country," these merchants included. There, agreeable to the orders of Congress, they had received the Continental currency at par for goods sold and for debts due to them, to the amount (so the merchants claimed) of £498,383, or more than three times the face value of the debts owed by them to English creditors in 1784. During the war they had "suffered innumerable hardships," but when peace came, "great as their sufferings had been, they were, when those of all others had ceased, still but just beginning." For the merchants returned to the city only to find "heaps of rubbish, and half ruined houses," and their trade in other hands, and to discover agents of British creditors waiting

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Papers, XI, Box 1, N.Y.S.L.; New York Daily Advertiser, Feb. 4, 1786. I owe the first of these references to Robert J. Christen.

[19]Petition dated Feb. 13, 1784, Senate Legislative Papers, XI, Box 2, N.Y.S.L. For other petitions of these merchants in 1784, see Assembly Journal (New York, 1784), 135, 167-168.

to recover pre-war debts.[20]

This seemed unbearably unjust. Americans owing pre-war debts to persons behind the British lines in America had been permitted to settle these obligations by paying one-fortieth of the amount due into the state treasury.[21] Tories whose property had been confiscated by the United States were being compensated by the British government. Only the American debtor to a creditor in England, it seemed, would be left unaided. "Our humble Request," Nathaniel Hazard, their principal spokesman, wrote to Hamilton in 1786, "is but to be heard before ruined, and that we are dragged to Prison, by hungry british Agents who are fast collecting from Philadelphia and other Quarters as the Session of the Assembly draws to a Close, and hover like Cormorants over the devoted Carcasses of their captive Debtors . . . . We would wish, Sir, that such a Man as Coll. Remsen, once so independent, a worthy Citizen, ever humane, benevolent and public spirited, may not have his House sold by execution, and his Family turned into the Streets."[22]

Here was political capital lying in wait for the first

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[20]This composite account is drawn primarily from two presentations by "Citizen" [Nathaniel Hazard]: Address to the New York legislature, Mar. 9, 1786, broadside, N.-Y.H.S., and Observations on the peculiar case of the Whig Merchants, indebted to Great-Britain at the Commencement of the Late War (New York, 1785).

[21]See Assembly Journal (Fishkill, 1782), 60, 74-76, 77-78.

[22]Nathaniel Hazard to Alexander Hamilton, Apr. 21, 1786, Hamilton Papers, Columbia U.

party to make use of it. For different reasons, however, Anti-Federalist and Federalist both turned a deaf ear. Abraham Yates was especially prominent in opposition to the merchants' claims,[23] while Hamilton, never wishing to satisfy one group of public claimants until their united strength could be used to promote a stronger Federal government, confessed himself an opponent of Nathaniel Hazard's "corps."[24] So the state legislature equivocated. Acts of 1782, 1783, 1784 and 1785 prevented executions on the principal of the debts until three years after the evacuation, and as this period of grace expired, the legislature and Congress passed the issue back and forth without decisive action.[25] In the end, each debtor had to make the best arrangement he could with his creditors, for on April 5, 1787, the Assembly finally defeated any attempt at relief by a 25-24 vote.[26]

If political credit accrued to anyone from this protracted wrangle, it probably went to the opponents of a stronger Federal government. Melancton Smith, writing

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[23]"Copy of [the merchants'] Petition, 1785," N.Y.S.L., is endorsed, "NB. This petition was strenuously opposed in the Joint Committee by A.Y. the Chairman a Senator from Albany"; see in confirmation, "Mercator," New York Daily Advertiser, Apr. 22, 1786.

[24]Hamilton to Hazard, Apr. 24, 1786, The Works of Alexander Hamilton, ed. John C. Hamilton (New York, 1851), I, 430-431.

[25]For this history, see New York Daily Advertiser, July 13, 1786, and Feb. 28, 1787.

[26]See New York Daily Advertiser, Apr. 11, 1787. For reference to merchant petitions, particularly frequent when the three-year grace period expired in 1786, see ibid., Feb. 15 and Mar. 15, 1786; Feb. 1, 1787.

against the proposed United States Constitution as "A Plebeian" in 1788, appealed to the merchants indebted to England.[27] One of them, at least, was strongly Anti-Federalist. Peter T. Curtenius, merchant, ironmaker, old Son of Liberty and New York State Auditor, penned one of the most vitriolic letters of the none-too-polite ratification debate. Writing to John McKesson, Curtenius said he had been high in public favor in 1775, when he could put £5000 into government securities and on his credit purchase £20,000 of stores for the expedition against Canada. Now he had "grown poor": "I am down now & they like other dogs it seems are determined to keep me down." Egbert Benson of Dutchess County, "this Bell weather of the Federalists," was the worst. Curtenius had compounded with his British creditors without help from the state. "If I had been a Livingston or a Schuyler," he concluded, "I suppose he [Benson] would have advocated my Cause, but my Crime is that I am a friend of the Governor."[28]

Federalist strategists needed some other issue than debts to England wherewith to win over the radical merchant-leaders.

Banks and Paper Money

Debts to England, although an intensely-felt issue, failed to break down the barrier separating the radical from the conservative merchant leaders. The question of access

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[27] "A Plebeian," An Address to the People of the State of New-York (New York, 1788), 6-7.

[28] Peter Curtenius to John McKesson, Mar. 15, 1788, McKesson Papers.

to capital provided the needed catalyst. Within a year (at the most) of the re-occupation of New York City, the merchants of the community were solidly aligned behind the Bank of New York. With equal unanimity, although not with quite the vehemence often supposed, they protested the emission of paper money. In these struggles a unity among the merchants was forged which after 1785 was smoothly and naturally adapted to the quest for stronger national government.

A united approach to questions of capital-formation had to be created: it did not exist in November, 1783. In the 1782 session of the state Assembly, the entire city delegation (composed, of course, of refugees) voted for a "stay law" on debts contracted before September 1, 1776. On a second bill, allowing debtors to persons within the British lines to discharge their obligations by paying one-fortieth the sum due into the state treasury, the delegation split.[29] In 1784, the mercantile community divided as to whether a new bank should accept land, or specie only, as security for loans. In the same year the General Committee of Mechanics petitioned for the emission of state bills of credit.[30] In 1786, two members of the city delegation voted for paper money, and two actually voted to make it legal tender.[31] These are facts which do not fit the picture of a united

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[29] Assembly Journal (Fishkill, 1782), 60, 74-76, 77-78, 88-89.

[30] Assembly Journal (New York, 1784), 74.

[31] New York Daily Advertiser, Mar. 25 and Apr. 5, 1786; Assembly Journal (New York, 1786) for Feb. 11-Mar. 4.

"urban creditor" interest in opposition to an equally homogeneous "agrarian debtor" party. Few groups were more indebted than the less-affluent mechanics. It took time for the issue to clarify and for men to become certain where their interests lay.

Everyone, to begin with, complained about the shortage of money. The question at issue was not whether the monetary supply should be increased, but rather how and by whom. The President, Director and Stockholders of the Bank of New York, for example, petitioned the New York legislature that "a Scarcity of Specie for a long time to come may be expected. This defect must be supplied by an artificial Medium." True, the petition conceded, in colonial times the common remedy had been government bills of credit: but after the experience of the war, bank paper was now more likely to command confidence.[32] This allegedly "hard-money" institution rapidly expanded its own notes in circulation, from $22,810 in June 30, 1784 (just after it began business) to $84,300 less than a year later.[33]

The city mechanics opposed bank notes, leaning instead toward what one newspaper called "our old, though rather dishonorable friend, Mr. paper currency":[34] government bills of credit. The mechanics petitioned for bills of credit in

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[32]Petition, Oct. 8, 1784, Hamilton Papers, Columbia U.

[33]Papers of the Bank of New York, Bank of New York, Box 1.

[34]New York Journal, Feb. 16, 1786.

the spring of 1784, as mentioned above, and several mechanics defended their position in the press. Government paper seemed safer than the paper of any kind of private bank.[35] "Where," asked "Mechanic," "ought credit to be placed in a republican government? I will venture to answer, in government only. . . . Had government energy enough to establish their own credit by a paper currency . . . every man who had security to offer, might get what money they might have occasion for, on a moderate interest, and the farmer and manufacturer might proceed to improvements as usual." Private banks, the writer continued, tended to drive a hard bargain.

> What comes next? Why your lands are sold, and you become tenants at will--there is no redress from the Assembly; you will find a majority of stockholders there, who will probably pass a law, that none but freeholders of so much property shall have a vote: then lay heavy taxes on every necessary of life, not on coaches, equipages, luxuries, superfluities, etc. but as in England, on beer, cyder, soap, candles, etc.; you will perhaps have to pay a tenth or more of the produce of the farm you rent, to pay a swarm of Clergy."[36]

When, as the decade progressed, radical merchants lined up behind the private Bank of New York, mechanic support was conspicuous by its absence.

There is good evidence that many of the radical merchants were supporting the Bank of New York, Tory directors, Alexander Hamilton and all, by as early as the late spring of 1784. In February, when a rival land bank was proposed,

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[35] Ibid., Mar. 18, 1784.

[36] "Mechanic," New York Journal, Mar. 25, 1784.

Isaac Sears sponsored it in the Assembly.[37] Shortly thereafter, the three principal movers in the scheme for a bank based on specie--Gouverneur Morris, Hamilton, and the investors Jeremiah Wadsworth and John B. Church--[38]joined forces, and the Bank of New York took shape. Hamilton at once set to work on the radical merchants. "I thought it necessary," he wrote his brother-in-law Church, "not only with a view to your project, but for the sake of the commercial interests of the state to start an opposition to the [land bank] scheme; and took occasion to point out its absurdity and inconvenience to some of the most intelligent Merchants; who presently saw the matter in a proper light and began to take measures to defeat the plan," including, Hamilton concluded, a petition against granting an exclusive charter to the land bank.[39] This petition against an exclusive bank, received by the New York legislature two days after Hamilton wrote his letter (March 12, 1784), was signed by a group who called themselves "Subscribers to an Intended Bank" and included the old merchant Son of Liberty, Jacobus Van Zandt.[40]

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[37]See Broadus Mitchell, Alexander Hamilton (New York, 1957), 209.

[38]The scheme crystallized slowly. On Nov. 22, 1783, Gouverneur Morris wrote Robert Morris: "I have consulted Hamilton on the Subject of the Bank who thinks the Proposition may be eligible but must consider"; as late as Apr. 6, 1784, Wadsworth wrote Gouverneur Morris that he and Church were "yet undetermined respecting a Bank" (Gouverneur Morris Papers, Columbia U.).

[39]Hamilton to Church, Mar. 10, 1784, Hamilton Papers, Columbia U.

[40]Assembly Journal (New York, 1784), 64.

If the radical merchants were not, as this petition suggests, supporters of the Bank of New York in 1784, they were unquestionably so in 1785. On Feb. 10, 1785, a petition to incorporate the Bank of New York was signed by John Lamb, Isaac Sears, Melancton Smith, Marinus Willett, William Malcom, Paschal N. Smith (Sears' partner) and James M. Hughes![41] It has been pointed out that of twenty-one Anti-Federalist leaders in 1788-1789, only four were among the 227 original stockholders of the Bank of New York.[42] The petitions of 1784 and 1785, however, are proof conclusive that the radical merchants were (at least by the latter year) supporters, not opponents, of the Hamiltonian bank. And the Bank of New York's first ledger-book of customers, for the years 1787-1788, includes the following 'radicals': John Broome, Peter Curtenius, David Gelston, Nathaniel Hazard, Isaac Ledyard ("Mentor"), Brockholst Livingston, Henry Rutgers, Paschal Smith, [Melancton] Smith and Wyckoff, Marinus Willett, and Wynant Van Zandt.[43] Here at least, radical and conservative leaders stood on common ground.

Not so the mechanics. While the entire mercantile body of the city sought in the spring of 1785 for incorporation of the Bank of New York, the mechanics sought to incorporate

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[41]Papers of the Bank of New York, Bank of New York, Box 9.

[42]Alfred Young, "The Democratic Republican Movement," 210 n.

[43]Papers of the Bank of New York, Bank of New York, Box 11.

the General Society of Mechanics and Tradesmen. It has not been recognized that this body was to lend money, and that incorporation was essential precisely so that it could do so. The lending of money was one of the five purposes for the body listed in its suggested by-laws.[44] Originally the mechanics asked permission for a fund of £3000--a figure not incommensurable with the $75,000 of stock possessed at this time by the Bank of New York.[45] The legislature whittled the sum to £1500 before sending the bill to the Council of Revision, where it was lost.[46] Despite this defeat, the General Society resolved at its annual meeting of January, 1786, to lend sums not less than £100, giving preference to members, on three-fold security in New York City real estate.[47] In December, 1787, the minimum loan was lowered to £50.[48] Thus the mechanics strove to provide for their own. That they did so with some success is suggested by the fact that no prominent mechanics, such as Robert Boyd or William Goforth, appear on the petition for the incorporation of the Bank of New York of February, 1785, or among the customers of the Bank in 1787-1788.

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[44] New York Packet, Feb. 17, 1785.

[45] Papers of the Bank of New York, Bank of New York, Box 1.

[46] Charles Tillinghast to Hugh Hughes, Feb. 26, 1786, Lamb Papers.

[47] Earl and Congdon, Annals, 11.

[48] Typewritten minutes of the General Society of Mechanics and Tradesmen, library of the Society, Dec. 14, 1787.

Radical and conservative merchants, drawn together in support of the Bank of New York, collaborated also in responding to the demand by up-country farmers[49] and mechanics for government bills of credit. Debts were debts, whether owed to an ex-Tory or to an erstwhile Son of Liberty. Samuel Broome and Jeremiah Platt, hard-pressed by British creditors, struggled to collect £1113 owed them in Columbia, Tryon and Westchester Counties.[50] The Columbia County agent of another old merchant Son of Liberty, Wynant Van Zandt, wrote him despairingly: "I have done all that I possibly could by threaths [sic] swearing & cursing [.] I would prosecute them, which is the only thing now to do."[51] There was no reason for Broomes or Van Zandts to view monetary inflation differently from Constables or Duers. In the city Chamber of Commerce, memorials on paper money were moved by William Duer but also by William Malcom.[52]

Because of its prominence in the politics of the late nineteenth century, the paper money question has often been considered the central issue dividing radicals from conservatives in the Critical Period. It was nothing of the kind.

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[49]Robert R. Livingston, however, who as a large landlord was a substantial creditor, opposed paper money ("Opinion against issuing bills of credit," March 1786, Robert R. Livingston Papers).

[50]Jacob Le Roy & Sons to Alexander Hamilton, Mar. 10 [1787], Hamilton Papers, Columbia U.

[51]Peter Ludlow to Wynant Van Zandt, Nov. 20, 1788, Wynant Van Zandt Papers.

[52]Minutes of the New York Chamber of Commerce, photostat, N.Y.P.L., Nov. 2, 1784 and Feb. 13, 1786.

New York's paper emission of 1786 was approved by the conservative organ, the New York Daily Advertiser, and accepted by the Bank of New York.[53] The allegedly extremist victory was, in fact, a mild inflationary measure rapidly acquiesced in by all groups in the community, just as in other cities.[54]

What all creditors feared in paper money was not inflation as such. Indeed a larger money supply, by lubricating the whole economy, actually made debt-collection easier: after the New York bill passed, James Beekman began to call in his debts again.[55] The danger in paper money, as mercantile creditors saw it, was that it might be made a legal tender. This was what roused the New York Chamber of Commerce. "Hitherto," their memorial told the state Assembly, they had "delay'd in addressing themselves to your Honorable Body, hoping that the Experiment if made would at least be in such a manner as not to involve the ruin of one Class of the Community for the benefit of another."[56] Their protest was successful. Contrary to an opinion supported by such

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[53] New York Daily Advertiser, Jan. 27 and June 17, 1787.

[54] For reference to the Charleston merchants' support of South Carolina bills of credit, see New York Journal, May 25, 1786.

For a similar re-interpretation of paper money before the Revolution, see Bernard Bailyn, "Political Experience and Enlightenment Ideas in Eighteenth-Century America," American Historical Review, LXVII (1962), 341 n., 342.

[55] James Beekman to John Relph, Oct. 4, 1786, Beekman Mercantile Papers, III, 1001.

[56] Minutes of the New York Chamber of Commerce, photostat, N.Y.P.L.

authorities as Charles A. Beard and Robert A. East,[57] New York's emission was not regarded as a victory for legal tender. Rather the bill was, in the words of E. James Ferguson, a "compromise," a clause to make the bills legal tender in all cases just losing in the Assembly in February, 1786, by a one-vote margin.[58] The city's "radical" newspaper, the New York Journal, joined in applauding that the "struggle . . . to make our money a tender in all cases" had been defeated.[59] In the final version of the law, the new bills of credit were legal tender only for debts contracted before the bill's passage.

The New York delegation was not unanimous in response to paper money. William Duer led the floor fight against the law, proposing amendment after amendment; it appears that his principal concern (unlike that of the merchants) was that the pressure of public creditors for stronger Federal government might be weakened. John Stagg, Robert Boyd, William Malcom and Robert Troup voted against the bill in its final form, but Evert Bancker and William Goforth voted for it. Earlier, Bancker and William Denning had voted to make the bills tender in all cases. Bancker, while appealing to general principles, half-confessed in his correspondence that his large indebtedness to Margaret

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[57]Beard, An Economic Interpretation, 269 ("the legal tender bill which the paper money party pushed through in 1786"); East, Business Enterprise, 265 n.

[58]Ferguson, Power of the Purse, 231-232; New York Daily Advertiser, Mar. 25, 1786. For the text, see Laws of New York, 9th Session, Ch. 40. See also Main, Antifederalists, 50.

[59]New York Journal, Aug. 24, 1786.

Farmer had influenced him.[50] Whether Goforth's affirmative vote can be interpreted as a continuation of earlier mechanic sentiment for bills of credit, is unclear.

Acting together in matters of banking and paper money, radical and conservative merchants moved together into agitation for the Federalist program. In May 1785, a Chamber of Commerce committee to reply to Boston's Mercantile Committee of Commerce regarding "the restrictions laid on our Trade by the British and other Nations, and also the very unfavorable State of our Commerce at large," was moved by William Duer; it was chaired by Isaac Sears; acceptance of its report was moved by Melancton Smith.[51] When these three could work in harness, discrimination toward Tory merchants must have seemed pointless. By the end of 1787, half of the merchants who attended the Chamber's last meeting under British rule (May 6, 1783) were again members in good standing.[52] Mercantile unity was well-nigh complete.

The Anti-Federalist Merchants

Well-nigh complete, yet not altogether so: for the leaders of the city Anti-Federalists were merchants, too. Melancton Smith, his connection with Federalist moves in

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[50]Bancker to Richard Varick, Aug. 24, 1785; same to Margaret Farmer, Mar. 27, 1786; Adrian Bancker to Evert Bancker, May 18, 1786 (Miscellaneous Bancker Papers, N.-Y.H.S.).

[51]Minutes of the New York Chamber of Commerce, photostat, N.Y.P.L., Feb. 15, May 16 and May 23, 1785.

[52]Compare the lists in Stevens, Colonial Records of the Chamber of Commerce, 295, 300.

1785 (just mentioned) notwithstanding, had led the protest against the Rutgers v. Waddington decision in 1784,[63] and would lead the state Anti-Federalists at the Poughkeepsie ratifying convention. David Gelston and Jonathan Lawrence were prominent Anti-Federalist merchants. Marinus Willett and John Lamb, although in the 1780's they held government jobs, were in private life also merchants, and leading opponents of the United States Constitution.

The notoriety of Lamb and Willett has led to the false conclusion that the bulk of the old Sons of Liberty leadership was Anti-Federalist. This is not the case. Merchant Sons of Liberty such as John Broome, Thomas Hazard and Jacobus Van Zandt appear on petition after petition asking a Federal impost; indeed Broome, as President of the Chamber of Commerce from 1785 through 1788, was a principal figure in the Federalist agitation. The leading mechanics in the Sons of Liberty also became Federalists. In the great parade celebrating the Constitution's ratification, Daniel Dunscomb, Robert Boyd and William Goforth marched in the van of their respective trades.[64] Among the outstanding pre-Revolutionary radicals, only Peter Curtenius joined Willett and Lamb in Anti-Federalism.

What motivated the small group of dissident merchants who opposed the Constitution? An hypothesis often suggested

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[63]See New York Packet, Nov. 4, 1784, for the protest of the committee which Smith headed. Its grave and judicial tone suggests Smith as draftsman.

[64]See the list of trades, which includes many individual marchers, New York Packet, Aug. 5, 1788.

is that the merchant Federalists were typically importers from England, while Anti-Federalist merchants dealt with the West Indies and other non-European markets. It does seem to be the case that not one Anti-Federalist merchant in New York was an importer from England and Europe. Isaac Sears, who did import British goods,[65] died in 1786 before declaring his sympathies. John and Samuel Broome, Thomas and Nathaniel Hazard, Jacobus and Viner Van Zandt, all supporters of the Federalists, described themselves in 1784 as "employed in the business of importing goods from Great Britain and the Continent of Europe."[66] William Malcom, who went over to the Federalists in 1787 (as previously described), was an importer of Scotch goods.[67] Merchant Anti-Federalists like Smith and Gelston, in contrast, seem to have been principally involved in bringing country produce to the city and sending it on to the West Indies. Smith dealt with fellow Anti-Federalists Gilbert Livingston and Peter Tappen, who managed a store in Poughkeepsie.[68] Gelston offered beef, pork, hogs' lard, butter, cheese and smoked beef from the New York countryside, and sugar, coffee and spirits brought back from the West Indies on the return voyage.[69] When in

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[65]See his advertisement, Independent Gazette, Mar. 4, 1784.

[66]Petition dated Feb. 13, 1784, Senate Legislative Papers, XI, Box 2, N.Y.S.L.

[67]T. E. V. Smith, The City of New York, 66.

[68]Gilbert Livingston Papers, N.Y.P.L.; "Merchandise Imported by Melancton Smith . . . from St. Thomas, 20th October, 1790," Misc. Mss. Dutchess County, N.-Y.H.S.

[69]Advertisement, New York Daily Advertiser, Apr. 9, 1787.

the fall of 1788 Marinus Willett left his position as city Sheriff and took up trade again, he dealt in the exchange of foodstuffs between "country traders" and the West Indies.[70]

Another and probably more fundamental factor was at work in mercantile Anti-Federalism, however. Melancton Smith, David Gelston, Jonathan Lawrence were all newcomers to the city in 1783. All hailed from Long Island, as incidentally, did another city Anti-Federalist, the lawyer Samuel Jones. Here again the names of Lamb and Willett are misleading. For if we connect the Anti-Federalism of Lamb, Willett and Curtenius with the fact that <u>these three alone</u> of the old Sons of Liberty received prominent jobs in the state government, the startling fact emerges that the city's Anti-Federalist leadership was altogether composed of either state office-holders or newcomers to the city. Like the Anti-Federalists of Dutchess County, the urban opponents of the Constitution were largely "new men." With the exception of Melancton Smith,[71] they played no part in the meetings of the Chamber of Commerce. It would have been natural for such intruders in the city's economic life to find themselves shut out from the most secure and lucrative branch of trade, importing from Europe, and to capitalize on their rural contacts by taking up business with the West Indies.

This way of understanding New York City Anti-Federalism

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[70]Public announcement, <u>New York Journal</u>, Oct. 16, 1788.

[71]Smith was proposed as a member of the Chamber on Aug. 3, 1784, and admitted on Sept. 7.

would help to explain the strong anti-monopolistic ideology of the group. New York's rebel leader of the seventeenth century, Jacob Leisler, had been both a social outsider and a foe of economic monopolies.[72] Just so Melancton Smith, the principal spokesman of urban Anti-Federalism in the state, wrote under the name "Plebeian," and at the Poughkeepsie ratifying convention introduced an amendment forbidding monopolies.[73]

Further research will be needed to demonstrate whether the Anti-Federalist merchants were indeed, as here suggested, newcomers excluded from the "Certain Small proffitt" of the European trade,[74] and so impelled toward speculative ventures in both commerce and politics. It is clear that these merchants were a very small minority in the mercantile class of New York City.

Conclusion

The attempt of British creditors to collect pre-war debts from refugee Whig merchants was a keenly-felt issue in the city mercantile community. It did not, however, lead to important political results, as the rural Anti-Federalists declined to help these urban merchants, while Federalists

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[72]See Jerome Reich, Leisler's Rebellion (Chicago, 1953), 92; Lawrence H. Leder, Robert Livingston and the Politics of Colonial New York (Chapel Hill, 1961), 59.

[73]For the amendment, see McKesson Papers, Box 3.

[74]Robert Livingston, Jr., to James Duane, May 3, 1762, Duane Papers.

sought to keep all business groups dissatisfied until their grievances could be merged in support of a stronger Federal government.

It was around the question of access to capital that a new political alignment began to crystalize. Merchants known before the war for their radicalism, such as the Broomes and Van Zandts, were no later than early 1785 strong supporters of the "Tory" Bank of New York. In response to the threat, not so much of paper money, but of paper money as a legal tender, all groups of New York City merchants also cooperated, working through the Chamber of Commerce. Thus years before the drafting of the Constitution, New York's mercantile community was working in harmony for measures of common interest.

The handful of New York City merchants who later became Anti-Federalists were either office-holders in the Clinton administration (Lamb and Willett), or newcomers to the city both socially and economically outside of the structure of power. Because of their rural contacts and because access to the preferred European import business was difficult, these merchants specialized in the exchange of foodstuffs between rural New York and the West Indies. But it is suggested that they became Anti-Federalists not because they were West Indian merchants, but because they were social and economic outsiders.

us." The Stone Masons rhymed, "The foundation is firm, the materials are good, Each Pillar cemented with patriot's blood"; so did the Chair Makers (rather more euphoniously) with their, "The fed'ral States in union bound, O'er all the world our chairs are found." "Forge me strong," chanted the Blacksmiths, "finish me neat, I soon shall moor a Federal fleet," as sturdy members of the trade, riding the float, hammered away at an anchor.

On they came. The Ship Joiners, with their motto: "This federal ship will our commerce revive, And merchants and shipwrights and joiners shall thrive." The humble Cartmen, saying: "To every craft she gives employ, Sure Cartmen have their share of joy." The Brush Makers, who proclaimed: "May love and unity support our trade, And keep out those who would our rights invade." And after these, the Cordwainers, Carpenters (the largest trade, with 392 marchers), Hatters, Cabinet Makers, Upholsterers, Sail Makers, Riggers, Gold Smiths, Tobacconists, Saddlers, Harness and Whip Makers, Tallow Chandlers, Dyers, Chocolate Makers, Potters, Pewterers, Tin Plate Workers, Founders, Copper Smiths, Coach and Coach-Harness Makers, Carvers and Engravers, Mathematical Instrument Makers (like John Lamb's father, Anthony), Horse-Doctors, Printers and Book-Binders and Stationers, Pilots, Block- and Pump-Makers, Paper Stainers, Lace and Fringe Weavers, Drum Makers, Ivory Turners and Musical Instrument-Makers, Painters and Glaziers, Confectioners, Cutlers, Butchers, White Smiths, Artificial Florists, Furriers, Tanners and Curriers, and last but not least the Tailors, with their magnificent slogan:

"And they sewed fig leaves together."[1] It was, commented an observer, a procession to testify to the "animated joy" of "all ranks and degrees of the community." "It was remembered," he continued, "that the great object of exultation was not the ratifying of the Constitution by any one particular State; but the already present existence of an aera in the history of man, great, glorious, and unparalleled, which opens a variety of new sources of happiness, and unbounded prospects of national prosperity!"[2] Here was a spirit of '88 fit to match its more illustrious predecessor.

What had caused this transformation in the "restless mechanics" of 178--?

Was There a Depression?

The cause of the transformation in mechanic politics cannot be in doubt. It was the depression of the mid-1780's. The spring of 1785 saw a general uneasiness about trade stagnation suddenly grow acute and urgent. Then, as Jay wrote, Federal ideas began to thrive: the early summer of 1785 produced in every major American city a merchant-mechanic alliance on behalf of commercial revival.

The process has been most closely examined in Charleston. There the depression caused a "unity in misery" leading to the formation of a "not completely natural" alliance of

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[1]New York Packet, Aug. 5, 1788.

[2]Ibid. William Duer, who saw the parade as a small boy, recalled it when an old man as one of the great events of his life.

merchants and mechanics.[3] In Philadelphia, too, the onset of depression enabled the city's conservatives to win substantial mechanic support for the first time since the end of the war. In the fall elections of 1785, the "pendulum began to swing back toward conservatism."[4] In broadly similar fashion, merchant-mechanic coalitions were formed in Baltimore and Boston.[5]

The very existence of a depression during the Critical Period was denied by some contemporaries, and certain subsequent scholars have upheld their dissent.[6] The difference of opinion, both at the time and later, turns partly on one's definition of the word "depression." Clearly what happened in the 1780's was not the kind of crisis typical in an industrialized capitalist economy, when business grinds to a halt and much of the labor force is thrown onto the streets. Nor was it a financial panic, such as America experienced on a major scale in the 1830's, if not before. What happened was, rather, a sharply adverse trend in the balance of trade caused by the inflooding of British exports at the end of

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[3]Walsh, Charleston's Sons of Liberty, 123, 136.

[4]Brunhouse, Counter-Revolution in Pennsylvania, 1776-1792 (Harrisburg, 1942), 176-177.

[5]See, in general, Beard, Economic Interpretation, 45. The creation of merchant-mechanic coalitions in other cities was fully reported in the New York City press, e.g., New York Packet, June 2, Aug. 22, Oct. 10, Nov. 21, 1785 and Mar. 16, 1786; New York Journal, May 19, June 9, Sept. 1 and 12, Oct. 13 and 27, 1785; New York Gazetteer, May 31, 1785.

[6]Most recently Forrest McDonald, We, The People, 296-297.

the war. The most obvious symptoms were an acute shortage of money and a steady fall in prices. It was a crisis of capitalism in its mercantile rather than industrial phase of development, and is best explained in the language of the mercantilist economists. Thus, the effect of the crisis was not the sudden cessation of economic activity but a stagnation, the immediate result of the departure of what James Davenant (using the same liquid metaphor) called its "radical moisture": money. Experience, according to Maurice Dobb, had taught the mercantilist entrepreneur that " 'when money be plentiful in the realm', not only was credit more plentiful, but markets were more brisk, and this meant better and quicker sales and a shorter period between production and sale for which provision had to be made."[7] The American entrepreneur in the mid-'80's was struggling with the inverse of these conditions: a credit shortage, sluggish markets, difficulty in paying and collecting obligations.

That a depression <u>in this sense</u> occurred during the 1780's is clear beyond a shadow of doubt. It may be, as Forrest McDonald argues, that the volume of shipping through New York harbor did not decline. Certainly imports of such items as rum, wine, tea, coffee and cocoa continued from 1785 through 1788 at about the level reached in 1784.[8] But prices

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[7]Maurice Dobb, <u>Studies in the Development of Capitalism</u>, 215.

[8]Estimates of William Constable in a letter to Gouverneur Morris, Dec. 5, 1788, <u>Industrial and Commercial Correspondence of Hamilton</u>, ed. A. H. Cole, 155-158.

of beef, pork and wheat declined steadily from 1785 to 1788.[9] Wheat and corn alone constituting a quarter of the value of exports through New York City,[10] the drop in farm prices complicated the trade imbalance which would, in any case, have resulted from the inflow of European goods. Whereas in 1765 the port of New York had exported £277,140 of goods, and in 1788 and 1789 would export well over £500,000 of goods per annum, exports for the entire three year period, March 1784 through April 1787, amounted to only £162,554. As imports during the same three-year period were valued at more than twenty times this amount, £4,826,312, the unfavorable balance was the staggering sum of £4,663,757.[11] This was an amount twenty times greater than the income of the New York Custom House during the same three years; 150 times greater than the stock of the Bank of New York in the years 1785-1788; 200 times greater than the total income of New York City between December 1783 and September 1, 1785.[12] Duties on

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[9]Arthur H. Cole, Wholesale Commodity Prices in the United States, 1700-1861 (Cambridge, 1938), 79, 84-85, 87-88.

[10]Of $2,000,000 of exports from New York City in 1788, wheat represented $322,000, corn $78,090 (Monaghan and Lowenthal, This Was New York, 70). The proportion would have been somewhat greater in previous years.

[11]Walter Livingston, "Exports and Imports, Port of New York, 1765-1787," Robert R. Livingston Papers, Box 15. For substantial confirmation of Livingston's accuracy, see, for the pre-war years, George W. Edwards, New York as an Eighteenth Century Municipality, 1731-1766 (New York, 1917), 62, for 1789, Monaghan and Lowenthal, This Was New York, 69.

[12]Earl and Congdon, Annals, 8-9, give the city receipts; the bank stock is revealed by its papers; Livingston gives the custom duties.

imports were approximately equal to the total value of exports. Nor was there an inflow of money in the form of capital investment or fees for services (such as shipping) sufficient to counter-balance the outflow of money in payment for imports. Contemporary testimony as to the reality of the shortage of money is overwhelming.

In addition to the generally depressing impact of this extreme imbalance between exports and imports, specific imports struck at specific New York City manufactures. For example, 30,000 hats and 97,000 pairs of shoes poured into the city during the three years covered by Livingston's figures. No wonder, then, that the mechanics as they paraded in 1788 recalled the years just past as hard times.

Mercantile correspondence indicates that an adverse economic trend set in early in 1783, as soon as European firms were once again able to ship to America. In April of that year William Duer's Philadelphia correspondent reported that goods were falling, and advised him to '<u>rid your store of all possible Clothing, as speedily as you well Can & allmost at any rate</u>' [italics in original].[13] Another leading businessman, William Constable, instructed his British agents in May and June to stop shipments until further ntoice, for 'the immense quantities of all kinds of Merchandizes which daily arrive puts it out of our power to make sales of anything even at first

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[13]John Holker to William Duer, Apr. 22, 1783, Duer Papers.

cost."[14] James Beekman, New York City importer, sent similar directions to England in the fall of 1784, "as Trade seems at present rather stagnated, our Markets being overstocked with Merchandize of all kinds"; that same fall John B. Church commented from England that "the Merchants and Tradesmen are much sour'd by the frequent American failures which take Place with great Rapidity."[15] Here was hardly the lustily thriving new nation of Merrill Jensen. As Tom Paine put it at the end of June 1783, "the last half year has been very much against the shop-keepers."[16]

As stated earlier, 1785 brought a sharp change for the worse. The volume of economic complaint markedly increased.[17] The New York City form of Jones and Stewart told a Philadelphia agent in January that "cash never was known so scarce as it is at present. . . . There will be terrible times amongst some people here & in Philadelphia for Indorsing Bills. Oceans of them have come back protested."[18] At the

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[14]Constable to Edward Jones, May 29, 1783, to Gabriel Tegelaar, June 8, 1783, and to Henry Budde, June 1, 1783, Letter Book, 1782-1790, Constable-Pierrepont Papers.

[15]James Beekman to Cooke, Ralph, and Barnardiston, Nov. 2, 1784, Beekman Mercantile Papers, III, 998; John B. Church to Hamilton, Sept. 25, 1785, Hamilton Papers, Columbia U.

[16]Paine to W. Wallace, Jr., June 30. 1783, Writings, ed. Foner, II, 1221.

[17]The best published source in which to observe this trend is the Beekman Mercantile Papers, III.

[18]Jones and Stewart to William Stewart, Jan. 27, 1785, Letter Book, Aug. 14, 1784-Sept. 27, 1786, Stewart and Jones Papers.

February meeting of the city Chamber of Commerce, Constable proposed a committee to memorialize the New York legislature regarding "the very unfavorable State of our Commerce at large," and on March 3 the Chamber duly called the state Assembly's attention to the fact that "trade . . . is daily on the decline."[19] The New York City merchant John Thurman summed up the state of commerce in 1785 this way: "Many of our new merchants and shopkeepers set up since the war have failed. We have nothing but complaints of bad times. In Philadelphia it is worse."[20]

Nor, despite the contrary assertions of many scholars, is the evidence for trade revival before 1788 very impressive (at least in New York). The firm of Murray, Mumford and Bowen informed its Rhode Island agent in February, 1786, that "tea is dull, indeed there is no Sale for that or any thing else at present. . . . The stoppage of Discts. at Bank has Stagnated business very much."[21] In June, 1786, the city press reported that "scarcity of money, stagnation of trade, dearness of provisions and the burden of taxes are the common topicks of conversation"; in August 1787, according to the same source, not a vessel of any kind was being built in New York City.[22] Bankruptcies continued high through 1788. In

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[19]Minutes of the New York Chamber of Commerce, photostat, N.Y.P.L.; Assembly Papers, Box 43, N.Y.S.L.

[20]Quoted in T.E.V. Smith, The City of New York, 5.

[21]Murray, Mumford and Bowen to Christopher Champlin, Feb. 21, 1786, Champlin Papers, N.Y.S.L.

[22]New York Journal, June 1, 1786; New York Daily Advertiser, Aug. 28, 1787.

1787, such well-known city personalities as Garret Rapalje ("one of the oldest Merchants" of the state, as he correctly described himself on his petition of insolvency), Abraham P. Lott, and former Assemblyman William Goforth, went bankrupt.[23] In 1788, the year of the adoption of the Constitution, one out of every seven adult males in New York City was jailed for debt.[24]

The villain in the piece was again, of course, England. Lord Sheffield's Observations on the Commerce of the American States gave Americans good reason to believe that England was seeking deliberately to destroy American trade. The British prohibition of American trade with the British West Indies infuriated, if it did not baffle, even the wily William Constable, who evaded it by every trick from outright smuggling to purchasing ships in London for the trade.[25] "Where formerly," stated Stewart and Jones, "One American Vessell frequented . . . any of the American Ports, there is now Ten and every place is over Run & Glutted owing to our not having liberty of the English West India Trade."[26] Everyone knew

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[23]Petitions of Abraham P. Lott, Feb. 15 and Apr. 3, 1787, Senate Legislative Papers, IX, and XI, Box 1, N.Y.S.L.; petition of Garret Rapalje, Jan. 25, 1787, Senate Legislative Papers, IX; announcement of meeting of Goforth's creditors, New York Daily Advertiser, Aug. 25, 1787.

[24]Monaghan and Lowenthal, This Was New York, 70.

[25]See, e.g., Constable to James Seagram, Nov. 11, 1783, same to Messrs. McLeon & Moore, Dec. 4, 1783, Letter Book 1782-1790, Constable-Pierrepont Papers.

[26]Jones and Stewart to William Stewart, Apr. 13, 1785, Letter Book, Aug. 14, 1784-Sept. 27, 1786, Stewart and Jones Papers, N.Y.P.L.

what ships were bringing in the hated imports. Of the tonnage of foreign vessels clearing the port of New York from November 1785 to November 1786, the British was almost twice that of all other foreign countries combined, and more than four times the tonnage of the next largest foreign shipper, France.[27] Even in 1789, of 1107 vessels entering the port, 308 were British (and only five French).[28]

As early as 1783, thoughtful men had warned that England might recover by economic means what her arms had lost. The fear was shared by radicals and conservatives alike. John Morin Scott wrote to Duane: "what most immediately and deeply impresses me is the apprehension that a Treaty of Amity and Commerce may be consorted with Great Britain, which may ultimately sap and overturn the Independence of these united States." Reciprocity, Scott continued, would be no real equality. "I am," he concluded, "for having no more Connection with her than the Necessities of Commerce will constrain."[29] The Lord of Livingston Manor wrote in similar terms: "I do hate the nation more and more. . . . It would please me to have no connections with them"; yet, like so many others, he expected to resume relations with English merchants, "as they will continue to be generous and give us good terms."[30] Likewise the radical "Mentor," warning

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[27]Cochran, New York in the Confederation, 105 n.

[28]Monaghan and Lowenthal, This Was New York, 69.

[29]Scott to Duane, Aug. 5, 1783, Duane Papers.

[30]Robert Livingston, Jr., to Duane, Sept. 12, 1783, Ibid.

"Phocion" of English merchants who planned to settle in America and usurp its trade, compared Britain to a landlord who wanted nothing from America but the "substantial revenue" of a tenant farm.[31]

Some scholars believe that by 1785 or 1786 the British Order in Council prohibiting the West Indian trade had become a "dead letter,"[32] yet it seemed real enough to merchants at the time. Until the British allowed Americans "to trade to their West Indian Islands on the Same footing as we did formerly, to enable us to make remittances & Supply ourselves with Salt Rum Sugar molasses etc. in our own bottoms," Robert Livingston, Jr., believed, American trade would "dwindle soon to little or nothing."[33] Secretary of State John Jay agreed that the British insistence on repayment of old debts, while forbidding Americans to obtain means of payment from the West Indian trade, had placed merchants of the newly-independent nation in an intolerable vise.[34]

Nothing more convincingly witnesses to the reality of

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[31]Mentor's Reply to Phocion's Letter, 12, 14 ff.

[32]Thus Edward Channing, A History of the United States (New York, 1940), III, 411-421, who has been followed more recently by Merrill Jensen. Yet some of Channing's assertions are contradictory. At ibid., 422-423, he states that the West Indian trade was not growing from 1786 to 1788. Channing's fragmentary statistics, moreover, indicate that in 1766 59% of ships coming to America from the West Indies, came from the British islands, while in 1788 only 40% did so (ibid., 417).

[33]Robert Livingston, Jr., to Walter Livingston, Feb. 4, 1785, Robert R. Livingston Papers.

[34]Jay to Adams, Sept. 5, 1785, Correspondence and Public Papers of Jay, III, 165.

the British economic threat at this time than the testimony of men like Jay and John Adams, who, as Secretary of State and Ambassador to England, respectively, were best in a position to know. In that same summer of 1785 when American merchants and mechanics were combining to protect their economy, Adams fretted the ozone over the English channel with fiery letters to the minister to France, Thomas Jefferson. "The designs of ruining, if they can our carrying Trade, and annihilating all our Navigation, and Seamen is too apparent," Adams wrote. He who had fought for the Massachusetts cod in the peace negotiations of 1782, was in no yielding mood.

> If the English will persevere in excluding our Ships from their West India Islands, Canada, Nova Scotia, and Newfoundland . . . we must adopt in all the States the Regulations which were once made in England. . . . I should be sorry to adopt a Monopoly. But, driven to the necessity of it, I would not do Business by the Halves. . . . We must not, my Friend, be the Bubbles of our own Liberal Sentiments. If we cannot obtain reciprocal Liberality, We must adopt reciprocal Prohibitions, Exclusions, Monopolies, and Imposts.[35]

The New York legislature, not waiting for the results of Adams' negotiations, had begun to retaliate against England almost from the moment New York City was re-occupied. In March 1784, Isaac Sears brought in a bill to lay import duties on ships belonging to British subjects.[36] In the fall of 1784, import duties on liquor brought in by British vessels were doubled, and in the spring of 1785 the measure was

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[35]Adams to Jefferson, July 18, Aug. 7, Sept. 4, 1785, The Adams-Jefferson Letters, ed. L. J. Cappon (Chapel Hill, 1959), I, 43, 50-51, 61.

[36]Assembly Journal (New York, 1784), 71.

extended to all dutiable goods. The same session, the legislature struck at British factors by an additional levy of 1 1/2 per cent on goods brought into the state by foreigners and not consigned to New York citizens.[37] But laws passed by one state only were clearly inadequate. The object of the merchant-mechanic committees formed in Boston, New York, Philadelphia, Baltimore, and Charleston in 1785 was, first, to press for a stronger Federal power to regulate trade, and second, to reinforce legislation--as in Non-Importation days --by the moral sentiment and direct action of local communities. The first concern is illustrated by a petition to the Continental Congress from the "Artificers, Tradesmen and Mechanics" of New York City, early in 1785, which stated that "we sincerely hope our Representatives will coincide with the other States, in augmenting your power to every exigency of the Union"; the second concern, by the resolve of the Philadelphia cordwainers not to buy, sell, repair, let be repaired by an employer, or work for employers who bought, sold or repaired, imported European boots or shoes.[38]

Imported manufactures, of course, brought the menace of British economic power directly home to the mechanics. Here again was an echo of "the ever-memorable period of the Stamp-Act": for now as then, the encouragement of native manufactures seemed a part of the struggle for independence. "When the minds of the people of America were really virtuous,"

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[37] Laws of New York, Eighth Session, Ch. 7, Ch. 34, Ch. 68.

[38] New York Journal, Feb. 24 and Mar. 24, 1785.

wrote a newspaper correspondent in 1785, "at the beginning of the late contest, every man was convinced of the necessity of our encouraging manufactures, and employing our own people, that we might be truly independent."[39] The General Society of Mechanics and Tradesmen struck the same note. European imports, the Society told its Boston counterpart, "are not only highly unfavorable to every mechanical improvement, but . . . nourish a spirit of dependence which tends in some degrees to defeat the purpose of our late Revolution."[40] Men of all classes rejoiced that, toward the end of the '80's, articles such as nails, oil, linens and glass were more cheaply manufactured in America than abroad.[41] Radicals Robert Boyd and Peter Curtenius, conservatives John Jay, Alexander Hamilton, Richard Varick, Robert Troup, joined in promoting the all-important iron industry; by 1787, Curtenius' Air Furnace could offer iron articles from tea kettles to the heavy pots and rollers used in sugar-refineries and slitting-mills, "equal to any imported from Europe, and the Price less"; by 1791, America's steel consumption totalled 300 tons a year.[42]

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[39] New York Packet, Sept. 1, 1785.

[40] Letter of Nov. 18, 1788, quoted in Earl and Congdon, Annals, 12-13.

[41] New York Journal, Nov. 9, 1786; Robert R. Livingston to Luzerne, May 7, 1788, Robert R. Livingston Papers.

[42] "Articles of Agreement of the associated Manufacturing Iron Company of the City and County of New York," filed Aug. 26, 1786, Hamilton Papers, Columbia U.; advertisement for Peter Curtenius' Air Furnace, 1787, broadside, N.Y.P.L.; Nathaniel Hazard to White Matlack, Mar. 9, 1791, Industrial

Federalism, therefore, presented itself to the mechanics of New York City as simple patriotism. Economic interest aside, it was natural for those who prided themselves on zeal in persecuting Tories to respond to this anti-British agitation. We shall fail to understand the alliance of mechanics and merchants unless we grasp that, to the mechanics, it seemed a direct continuation of the independence struggle. "Is it any breach of charity," asked a writer, "to suppose, that those men who oppose the increase of the power of Congress for regulating our commerce--or who oppose laws for imposing duties on British goods--are under the influence of British principles or connections?"[43] When the Chamber of Commerce appointed a committee to deal with the situation, it was presented to the public as a step "to break the fetters and restraints which we have tamely suffered the British to fix on our trade."[44] By thus fusing the old radical anti-British sentiment with the conservative interest in a stronger central government, the merchants destroyed whatever hope there might have been for Anti-Federalism in New York City.[45]

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and Commercial Correspondence of Hamilton, ed. A. H. Cole, 59.

[43]"Andrew Marvel," New York Journal, June 16, 1785.

[44]Ibid., May 26, 1785.

[45]It was no help to the Anti-Federalists that their spokesman in the state legislature, Samuel Jones, was a notorious ex-Tory. See the attacks of "Peolopodas," "Leo," and "Mercator," New York Daily Advertiser, Feb. 20, Feb. 27, Mar. 22, 1787.

Building a Coalition

A considerable heritage of bitterness had to be overcome before merchant and mechanic could work together to meet common economic and national problems. The mechanics, as the majority of the city population, had long been associated with democratic demands which the more conservative merchants resisted. Prior to the evacuation of New York City in 1776, the Sons of Liberty had demanded the secret ballot, and the Mechanics' Committee had called for the election of municipal officers and Justices of the Peace, ratification of the proposed state constitution by popular vote, and popular election of delegates to the Continental Congress.[46]

After the return to the city in 1783, the mechanics revived their demand that city officials be elected. Aldermen and their assistants were elected in the city of the 1780's, but the Recorder, Sheriff, Coroner, and above all, the Mayor, were appointed by the state Council of Appointment: not until 1834 did the mayoralty become elective. A petition of March 14, 1785, signed by over 350 New York City residents, requested the state government to make all offices in the city elective. Petitioners stated that "the very reasons which induced the British government to place the appointment of these officers in the Crown, most clearly evinces the propriety of our requesting to have that power now lodged in the hands of the people."[47] Of ninety-nine

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[46] New York Gazette: or the Weekly Post-Boy, Jan. 1, 1770, Apr. 8, 1776; New York Journal, June 13 and 20, 1776.

[47] Senate Legislative Papers, X, Box 1, N.Y.S.L.

mechanics who attended the meetings of the General Society of Mechanics and Tradesmen from 1785-1788, twenty-five signed this petition. Of 122 merchants who attended meetings of the Chamber of Commerce between April 1784 and the end of 1785, only four signed. The mechanic signers included the three presidents of the Mechanics' Committee in the Revolutionary Era: Daniel Dunscomb, Henry Bicker, and Robert Boyd.

This difference between merchant and mechanic over the form of city government was further embroiled by the hostility of refugee mechanics toward "Tory" merchants and lawyers, previously described. Thus a "Mechanic", writing in the spring of 1784, called Alexander Hamilton "the confidential or ridiculous earwig of our late worthy General . . . the little, pompose, stripling delegate--the Jack-Daw of public affairs . . . Fox instead of Phocion." You, he continued, "cannot feel for the distresses of your fellow-soldiers;--nor offer a sympathizing pang for the accumulated misfortunes and calamities of your fellow-citizens, borne down and depressed by the iron hand of war and depredation, and on whose spoils your new-acquired friends and associates have fattened."[48] "Phocion" had compounded his sins in mechanic eyes by opposing trade unions as monopolies. "All attempts at profit through the medium of monopoly or violence," the future father of the Bank of the United States advised

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[48]"Mechanic" to "Phocion," New York Journal, Mar. 25, Apr. 1, 1784.

them, 'will be as fallacious as they are culpable.'[49] It is not surprising that the mechanics were slow to accept the Federalist leadership of Hamilton and his associates.

A raw class-consciousness exploded in the city press in controversies during 1785 and 1786 over incorporation of the Mechanics' Committee, and the propriety of mechanic representatives in the state legislature. 'Beware of Lawyers! Beware of Lawyers!,' warned 'An exiled Mechanic.' 'We have a powerful mercantile interest to struggle with, and we should be extremely careful of adopting a single measure that will tend to support it.' Mechanics, the writer continued, should judge their friends and foes by their positions on 'our dear child the incorporation bill.'[50] Conservatives openly aired their fears that the mechanics, if incorporated, would take over governmental power 'in this city at least,' and use it to raise wages, and exclude foreign products, foreigners, and out-of-state mechanics. 'What merchant indeed would be hardy enough to disobey them?,' the writer concluded, clearly betraying for whom he spoke.[51] Another conservative thought discretion the better part of valor. 'There is no man of reason but must admit,' said he, 'it is less dangerous to incorporate a body of men by law, then suffer them to cement with an idea of having received an injustice.'[52] These conservative attitudes

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[49] A Letter from Phocion, 11.

[50] New York Packet, Apr. 7, 1785.

[51] New York Packet, Feb. 24, 1785.

[52] Ibid.

angered radical Hugh Hughes. "I should be glad to know," Hughes wrote to Tillinghast, whether gentlemen of that turn of mind "would consider themselves endanger'd by a Combination of the Mechanicks to extinguish the Flames of their Houses, were they on fire, or if any one of the Faith was drowning whether he would reject a Mechanick's hand to save him?—And are not those honest Men, the very Persons, who, principally, extinguish all Fires, and, in Conjunction with the Country, have saved the State?"[53]

The bill for mechanic incorporation was lost, and in its wake, class bitterness reached a peak in election controversies over mechanic representation. It was customary in the post-war city for slates of candidates to be explicitly balanced so as to represent all "classes," or "orders."[54] Prior to 1785, however, no mechanic had been elected. Hence a mechanic's query as the 1785 election approached: "Are there no men worthy of our confidence but merchants and lawyers? Being of opinion," he continued, "that the pedantic lawyer, the wealthy merchant and the lordly landholder, have already had their interests sufficiently attended to, and think[ing] the respectable mechanics and carmen are not only adequate, but entitled to the reins of government," a list of twenty-six shoemakers, smiths, tavern-keepers,

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[53]Hughes to Tillinghast, Mar. 7, 1785, Lamb Papers.

[54]See for example, A CITIZEN, To the Electors of the City of New-York, Dec. 26, 1783, broadside, N.-Y.H.S.; New York Daily Advertiser, Mar. 22, 1786; New York Packet, Apr. 4 and Apr. 7, 1785.

hatters, printers, block-makers, sailmakers, carmen, carpenters and tailors was offered for consideration.[55] And when the polls closed, the Mechanics' Committee had not only elected all but one of its nominees, but among them were the blacksmith Robert Boyd and the shoemaker William Goforth.

The mechanics' success led only to a greater storm the following year. If conservative William Duer was admitted to have been too abusive as an Assemblyman,[56] Boyd and Goforth had been, it was charged, as dumb as wax-works. The Assembly had passed paper money while defeating a Federal impost, and the mechanics were blamed. Hamilton himself entered the lists as an Assembly candidate. A barrage of newspaper propaganda endeavored to clear his path by ridiculing the mechanic legislators. This note had been struck before: in 1784, for example, a correspondent had referred to a certain "City Member, of immense learning, acquired partly in a haberdasher's shop."[57] But the volume of such comment multiplied in the first three weeks of April 1786. "We ought," wrote "Nobody," "to invest no man at this critical period with that important trust, but such whose firmness, integrity and ability are sufficiently ascertained. I am very sensible that the application of reasoning of this nature will have little avail, if the mechanics of the city are

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[55] New York Packet, Apr. 14, 1785.

[56] On Duer, see Philip Schuyler to John Lansing, Feb. 20, 1787, Lansing Papers, N.-Y.H.S.

[57] New York Gazetteer, Nov. 23, 1784.

allowed to fill up the appointments of statesmen."[58]

"Somebody" waxed satiric on the same theme:

> Men who have spent the prime and vigour of their days in reading and contemplating the rise, progress and declension of states and empires;--men who study Grotius, Puffendorf, Montesquieu and Blackstone. . . . Away with such legislators! we will neither be able to comprehend the laws they may make, nor to practice them when they are made. But the laws of the mechanics, like the makers of them, will be simple and unperplexed. . . . Therefore let us have mechanics, and mechanics only for our legislators.[59]

"Let the mechanics tarry at home," echoed "Two Shoes," "and follow their different employments, as I think they will not be able to do both at once."[60] "Censor" railed against "those narrow contracted, self-taught politicians who are for selecting out of each class of citizens a person to represent them, whether he is to be found competent or not, and think none would serve them honestly but those of their own body. How can they expect," this writer continued, "that men, such as the laborious mechanic, whose whole study and progress in life has been to secure a maintenance for himself and family . . . are calculated to frame laws for a large and commercial community."[61] All these correspondents appeared in the organ of the conservative merchants, the Daily Advertiser. So did one final writer, who summed up for all of them: "A very vulgar idea seems to pervade the generality of citizens, that

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[58]New York Daily Advertiser, Apr. 1, 1786.

[59]New York Daily Advertiser, Apr. 5, 1786.

[60]Ibid., Apr. 14, 1786.

[61]Ibid., Apr. 15, 1786.

none but mechanics are fit to be representatives in the legislature for the interest of the mechanics."[62]

Another very vulgar idea was also in the air in 1785-1786: the idea that the mechanics of the entire nation had a common interest, and should act together to support it. On August 20, 1785, the Tradesmen and Manufacturers of Boston addressed their New York counterpart, the General Society of Mechanics and Tradesmen. Assistance was desired, the letter ran, so that unity might take place as between "a band of brothers, whose interests are connected." The formation of a general mechanics' committee is suggested, so that "each man becomes interested not only in his own branch but in those of his brethren." Finally, the hope is expressed that "a general harmony will prevail throughout the whole manufacturing interest of this country."[63] "When our views like our wishes are combined," replied the New Yorkers, "our petitions to the Federal legislature will assume the tone and complexion of the public wishes, and will have a proportionate weight and influence."[64]

Into the burgeoning self- and class-consciousness of the mechanics, the need for alliance with the merchants ran head-on. Throughout the pregnant summer of 1785, newspaper correspondents addressed themselves directly to this problem. Merchant and mechanics, said one, must bury "all old causes

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[62] Ibid., Apr. 17, 1786.

[63] New York Packet, Sept. 12, 1785.

[64] Quoted in Earl and Congdon, Annals, 12-13.

of difference in eternal oblivion."[65] "A Friend to the Community" expressed the sentiment forcibly. "The present unsettled state of our trade and commerce is truly alarming," he began,

> and much depends on the exertions of the merchants and mechanics among us. . . . However secure either may feel with respect to their own strength and consequence--however determined they may be to abide by the resolutions formed by their own particular class, unless the merchants and mechanicks mutually request and obtain the assistance of each other, their attempts to subvert the machinations of our enemies will prove entirely futile and abortive. . . . Thus . . . we shall see the mechanic look with pleasure on the prosperity of the merchant, and the merchant will view with a smile of approbation the system which shall be adopted to promote the interest of the honest mechanic.[66]

Farmer, merchant and mechanic, it was said, had united in '76 to withstand their common foes; they must do so again.[67] And they did.

Let us follow in detail the formation of the coalition. In February 1785, each group was still acting by itself: while the mechanics (as described earlier) wrote the Continental Congress expressing hopes that its power would be augmented, the Chamber of Commerce memorialized the state Assembly to the same end.[68] The New York legislature's rejection of a Federal impost later in the spring led to the formation, on March 31, of a committee to protest the Senate

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[65] New York Journal, June 16, 1785.

[66] Ibid., June 2, 1785.

[67] New York Packet, Nov. 10, 1785.

[68] Minutes of the New York Chamber of Commerce, photostat, N.Y.P.L.

vote and correspond with the counties. The committee included former Sons of Liberty Isaac Sears, John Broome, Isaac Ledyard and William Malcom, along with conservative businessmen William Duer and William Constable. The mechanic-manufacturer White Matlack was also a member.[69] Soon after a Chamber of Commerce committee, earlier mentioned, was created to respond to an appeal for joint action from the Mercantile Committee of Correspondence of Boston. On May 23, this committee reported back to the full Chamber that in its unanimous opinion the Chamber of Commerce should consult other citizens before acting. Approval of this motion opened the door for the inclusion of mechanics.

"No partial or limited determination upon such questions," the Chamber committee asserted, "could produce substantial Effects." Hence, following repeated "Consultations with several Citizens of different professions and Ranks," including two conferences at the coffee-house, a meeting was called for June 15. At this meeting, sponsored by the Chamber of Commerce, a committee of twenty-five was created. It included three prominent mechanics--silversmith William Gilbert, carpenter Anthony Post, and ropemaker Thomas Ivers--, together with some new faces from the old Sons of Liberty: Jacobus Van Zandt and Nathaniel Hazard.[70] The committee proceeded to memorialize the rest of the state. Again it was observed that farmer, merchant and mechanic, whose

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[69] New York Journal, Apr. 7, 1785.

[70] New York Journal, June 23, 1785.

united effort had won the Revolution, should join hands to save the country. "We have therefore to request," the letter concluded," that you will be pleased to lay this letter . . . before the inhabitants of the several districts in your county, and that you will unite in giving pointed instructions to your representatives."[71]

John Broome, president of the Chamber of Commerce, was the first chairman of the committee of twenty-five. In September, when it was again called together, its chairman was William Constable.[72] In March 1786, when the Federal impost again hung in the balance in the New York legislature, a general meeting of city inhabitants unanimously approved the impost, and left copies of a petition at three taverns for signature.[73] The impost was again defeated. In the ensuing election, Alexander Hamilton became a member of the state Assembly, and led the merchant-mechanic phalanx into more direct political activity.

Had the mechanics really been (a la Beard) "politically non-existent," and were Spaulding correct in saying that "the lower middle and lower classes in the towns were generally disfranchised by the high property qualifications,"[74] it would be puzzling indeed that so much attention was given by

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[71]Broadside of the Committee of Correspondence of the Chamber of Commerce of New York City, n.d., N.Y.P.L.

[72]New York Packet, Sept. 5, 1785.

[73]Ibid., Mar. 27, 1786.

[74]E. Wilder Spaulding, "The Ratification of the Federal Constitution," History of New York, V, 32.

hard-headed New York City politicians to winning mechanic support. In fact, contemporaries took it for granted that mechanics made up the majority of the city's voting population. Mechanics, said an election broadside of 1783, "undoubtedly constitute a great majority of the citizens"; another added that the mechanics had always been able to carry an election; a third contemporary observed that this was more so since the lowering of the Assembly suffrage in the state constitution of 1777.[75] The closest recent student of post-Revolutionary New York comes to the same conclusion. "Almost all artisans and tradesmen of the 'middling sort' ", writes Alfred Young, "could vote in Assembly elections."[76]

How many mechanic voters were there? A hard question to answer. The number of voters in Assembly elections between 1783 and 1787 was relatively small, never exceeding about 1000, less than one-eighth of the adult white male population at the end of the decade.[77] In 1788, the Assembly

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[75] New York Packet, Feb. 24, 1785; To the Worthy and Industrious Mechanics of this State [Dec. 1783], broadside, N.Y.H.S.; To the Mechanics and Free Electors of the City and County of New-York, Dec. 23, 1783, broadside, N.Y.H.S.

[76] Alfred Young, "Democratic-Republican Movement," 879-880.

[77] The highest vote for any candidate in the election of December 1783, was 249; in the election of April 1785, it was 566; and in the election of April 1786, it was 532 (New York Packet, Jan. 1, 1784; New York Journal, May 5, 1785 and May 4, 1786). The total number of voters was of course higher than the highest vote for any candidate, for as many as forty candidates might receive votes in an Assembly election for nine seats (New York Journal, Apr. 27, 1786); but not a great deal higher, for there was a definite tendency

vote jumped to over 1500, possibly due to the introduction of the secret ballot the previous year, more likely the result of interest aroused by the ratification debate that spring.[78] If the "mechanic vote" was roughly equivalent to the support for the mechanic candidates, Goforth and Boyd, in the class-conscious election of 1785, then the mechanic voters were indeed a majority of New York City Assembly electors: for the two men polled 560 and 623 votes, respectively.[79]

Was the mechanic vote manipulated or "bought"? Before 1787, Assemblymen were elected viva voce at the City Hall and opportunity for corruption must have been great.[80] During the struggle over the impost in 1786, merchants were urged to "go about the wards as they used to do to see who are for the Congress impost and who are against it."[81] Introduction of the secret ballot may not have automatically eliminated corruption, for in some city wards as much as half of the electorate was illiterate;[82] and in 1787 when the

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toward the selection of the whole of one of two rival "slates," with candidates not on either slate picking up very few votes. Hence the estimate of 1000 for the number of Assembly voters between 1783 and 1787.

[78] New York Journal, June 5, 1788.

[79] Ibid., May 5, 1785.

[80] For voting regulations, see New York Gazetteer, Dec. 10, 1783, and Pomerantz, New York as an American City, 64-75.

[81] New York Daily Advertiser, Mar. 23, 1786.

[82] Alexander Hamilton and William Malcom agreed on this figure in the Assembly debates reported in ibid., Jan. 29, 31, 1787.

sented the genuine sentiment of the mechanics.

The election activities of the Mechanics' Committee testified to the reality of a mechanic vote. After 1785, however, the Committee seems to have lost control of its own constituency. In December 1783, every one of the Assemblymen nominated by the Mechanics' Committee had been elected, and in 1785, eight of nine. In 1786, however, the figure slipped to six, in 1787, to two.[86] In 1788, although Boyd and Gilbert were nominated for the ratifying convention, only merchants and lawyers represented the city at Poughkeepsie;[87] in South Carolina, by contrast, three artisans sat in the state ratifying convention. Contrary no doubt to their intentions, the mechanics discovered that in supporting the merchants' program, they had also to accept the merchants' candidates.

Conclusion

Years before the ratification debate of 1787-1788, the Federalists had won to their cause not only most of the old radical leaders, but the bulk of the mechanic rank-and-file. In 1785, Hugh Hughes observed that a "coalition" had been formed between all parties in the city. "I could not discover," he said, "that there were any, unless a few honest Mechanicks, who were opposed to it."[88] When

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[86] New York Packet, Apr. 24, May 1, 1786; New York Journal, Apr. 26, May 31, 1787.

[87] New York Journal, Feb. 28, Mar. 13, 1788.

[88] Hugh Hughes to Charles Tillinghast, Mar. 7, 1785, Lamb Papers.

Alexander Hamilton ran for the New York Assembly in 1786, his father-in-law commented that "some of the Mechanics are for him," a striking change since 1784.[89] Already in these years the Anti-Federalist leaders had become generals without an army. Melancton Smith, principal Anti-Federalist spokesman in 1788, was rejected by the Mechanics' Committee when he ran for the Assembly in 1785, and when he ran (along with David Gelston) for the Senate in 1787.[90] This shift in mechanic sentiment brought pressure to bear on every city Anti-Federalist who hoped for a political future. Smith and Samuel Jones would heed that pressure during the ratification convention; earlier, on the eve of elections for the convention, Marinus Willett was said to have "become a proselyte, declaring it [the proposed Constitution] might be right--since it appears to be the sense of a vast majority."[91] The newspaper debates of 1787-1788 on which so much attention has been lavished were (so far as New York City is concerned) the froth cast up by a wave which had done its work.

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[89]Philip Schuyler to Stephen Van Rensselaer, quoted in E. Wilder Spaulding, New York in the Critical Period, 111.

[90]New York Packet, Apr. 25, 1785; New York Daily Advertiser, Apr. 20, 1787.

[91]Morgan Lewis to Margaret Beekman Livingston, May 4, 1788, Robert R. Livingston Papers.

PART III

CLASSES, SECTIONS AND THE CONSTITUTION

CHAPTER XI

TENANT FARMERS AND ARTISANS IN THE RATIFICATION STRUGGLE: 1787-1788

What did the United States Constitution mean to the tenant farmers and mechanics of New York? What was the common sense of ratification for the common man? And what light do these lower-class attitudes throw on the Beardian controversy and on the Revolutionary Era as a whole?

The evidence presented in the foregoing chapters makes possible tentative answers to these questions. In these concluding pages we will consider, first, the tenant farmers of Dutchess County, and second, the mechanics of New York City.

Demo and Aristo

Anti-landlordism was the kernel of Dutchess County radicalism. Revolution brought to Dutchess tenants a series of hardships and crises not so very different from the trials of peace. The struggle between tenant and landlord, "Demo and Aristo"[1] was chronic in the county from the mid-century through the end of the war. The same groups, often the same leaders, confronted each other in the tenant rising of 1766; the radical electoral victories of 1768 and 1769; the wartime struggle over price-fixing and land-confiscation; and finally, the ratification of the United States Constitution. Dirck Brinckerhoff, who

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[1]Henry Livingston to Walter Livingston, Apr. 24, 1785, Robert R. Livingston Papers.

took Robert R. Livingston's Assembly seat in 1783, led the wartime struggle for the confiscation of Loyalist lands; Egbert Benson, who opposed Brinckerhoff in 1779-1780, was the leader of Dutchess Federalism a decade later; John DeWitt, Gilbert Livingston and John Bailey, active in the price-fixing committees of 1779, became Anti-Federalists; and Jacobus Swartwout and Jonathan Akin, the two Dutchess delegates who voted against the Constitution at the New York ratifying convention, came from the area of the tenant riots of 1766.

What the Handlins, referring to Massachusetts, call the "mossy conception of two-party continuity," was therefore a simple fact in Dutchess County. There <u>were</u> "two clear-cut camps." The groupings on any one issue between 1750 and 1790 <u>were</u> "coterminous with those on another."[2]

Further, the nature of the contending groups was unquestionably grounded in social position and differential access to the ownership of land. Forrest McDonald has stated that "economic interpretation of the Constitution does not work," and that "the dynamic groups favoring and opposing the Constitution were essentially noneconomic groups struggling for political power, who sought and received support primarily through appeals to the economic self-interest of the voters."[3] It is quite true that the radical leadership of Dutchess County was economically and socially a cut above the rank-and-file, even that many of the leaders

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[2]Oscar and Mary Handlin, "Radicals and Conservatives in Massachusetts after Independence," <u>New England Quarterly</u>, XVII (1944), 343-355.

[3]McDonald, <u>We, The People</u>, vii, 405.

were themselves landlords and land speculators. But no one in Revolutionary Dutchess would ever have confused these men of "middling rank" with the great patrician landlords who called the political tune because they had the economic power: with a Philip Schuyler who (as his army chaplain put it) "has never been accustomed to seeing men that are reasonably well taught and able to give a clear opinion and state their grounds for it, who were not also persons of some wealth and rank";[4] or with a Robert R. Livingston who told his fellow-officers of the Cincinnati on Independence Day, 1787, "you are not formed to follow the lead of those you despise."[5] There was a well-defined economic difference between the conservative leaders and the radical leaders, and a yawning economic gulf between the conservative leaders and the radical voters.

This interpretation is economic. But it differs from Beard's in that it stresses not so much the economic gains and losses which the Constitution seemed to offer its individual promoters and critics, as it does the struggle for power between contending economic groups. Both Beard and his critics too often regard economic interests as so many disparate calculations of monetary gain and loss. So they are, perhaps, in a stable political situation where legislation centers on the allocation of a pork barrel of discrete economic advantages among different

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[4]Quoted in George F. Scheer and Hugh F. Rankin, Rebels and Redcoats (New York, 1959), 288.

[5][Poughkeepsie] Country Journal, Oct. 24, 1787.

claimants. But what was at stake in the Critical Period was more than the price of wheat or speculative windfalls in government securities. It was also the question: Which class shall rule, and in the image of which class shall the new nation take shape?

What was at stake was aptly expressed in an exchange of letters between Alexander Hamilton and Robert Livingston, Jr. (the aged Lord of Livingston Manor) on the eve of the New York elections of 1785. "The situation of the State at this time is so critical," Hamilton wrote,

> that it is become a serious object of attention to those who are concerned for the <u>security of property</u> or the prosperity of government, to indeavour to put men in the Legislature whose principles are not of the <u>levelling kind</u> . . . . All men of respectability, in the city, of whatever party, who have been witnesses of the despotism and iniquity of the Legislature, are convinced, that the principal people in the community must for their own defense, unite to overset the party I have alluded to. I wish you to be persuaded Sir, that I would not take the liberty to trouble you with these remarks with a view to serving any particular turn; but, from a through conviction, that the safety of all those who have anything to lose calls upon them to take care that the power of government is intrusted to proper hands.

After the election, Livingston answered that "in this last election, by compleating the necessary Junction previous to the day of Election [which] we have so often desired & Endeavourd for; by uniting the interests of the Renselaer, Schuyler, & our family, with other Gentm. of property in the Country in one Interest . . . we carryed this last Election to a man." "I trust," concluded the Third Lord, "we shall always have the like Success provided we stick close to each other."[6]

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[6]Hamilton to Livingston, Apr. 25, 1785, and Livingston to Hamilton, June 13, 1785, Hamilton Papers, Columbia U.

Beard's restricted conception of economic interest cannot explain the sense of common cause which Livingston and Hamilton express in this exchange. What they stood on together cannot be grasped by Beard's dichotomy of "realty" and "personalty." Hamilton was the spokesman of the nation's investors in fluid capital. Robert R. Livingston's father, in contrast, could say that "my personall Estate is no more, and we ought to take care of the Reall," while the Chancellor himself echoed eighteen years later, "I have no personal property." What bound together the urban capitalist and the Hudson Valley landlord was the shared daily experience of wielding power over dependent persons: common membership in a ruling class. In their correspondence, property spoke to property, power to power, and overcame the barriers separating proud great families and dividing city from country. After ratification, these two great groups of entrepreneurs would discover lesser, clashing interests, and as Republicans and Federalists, Democrats and Whigs, contend for power until the Civil War. In quiet times, the aristocratic families would themselves quarrel and intrigue among each other. But in 1787-1788, all those with something to lose (as Hamilton put it) stood together. When Robert Livingston spoke of his family's "interest," he meant not their security holdings but their power to coerce tenant votes.[7]

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[7]For the Livingstons' remarks about their "personalty," see Robert R. Livingston, Sr., to Robert R. Livingston, Jr., Mar. 1, 1702 and Robert R. Livingston to George Clinton, May 21, 1780, Robert R. Livingston Papers. For quarrels among the Hudson Valley patricians, see, e.g., Thomas Tillotson to Robert R. Livingston, June 15, 1784, Margaret Beekman Livingston to same, Apr. 30, 1783, and Robert R. Livingston to Henry Living ton, 1789, in the same collection.

If it be granted, first, that an internal struggle for power was real and continuous in Dutchess County, and second, that this conflict was (in the broad sense just described) economic, a third point must also be insisted on, namely, that the Revolution in Dutchess County was a social revolution as well as a war for independence, and worked a permanent change in the social atmosphere and balance of power in the county. Prior to 1776, the greatest landlords and their relatives - Henry Beekman, Jr.; Robert R. Livingston; Beverly Robinson - had monopolized the chief elective and appointive offices. From 1777 to 1788, not one member of these great families held office in Dutchess. Again, the confiscation of Loyalist estates in southern Dutchess wiped out the large landlord in all but the northwestern sector of the county, which henceforth could expect to exert only minority influence. This social revolution may, as Merrill Jensen suggests, have been unintended, but it was nonetheless real. Contrary to Robert Brown, Revolution in Dutchess County <u>was</u> a "dual revolution," and was <u>not</u> (at least in result) "a revolution to preserve a social order rather than to change it."[8]

This is not to say that the Dutchess tenant farmer (or indeed, any lower-class group in the American Revolution) had the flaming vision of a new heaven and a new earth which possessed, say, Gerard Winstanley, John Lilburne, or Babeuf. He was little concerned with ideology. His eyes were always

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[8]The phrases quoted are from Robert E. Brown, <u>Middle-Class Democracy and the Revolution in Massachusetts, 1691-1780</u> (Ithaca, 1955), 401. For Jensen's view, see "Democracy and the American Revolution," <u>Huntington Library Quarterly</u>, XX (1957), 321-341.

on "aris et focis,"[9] hearth and home; his primary concern was always to obtain a freehold, and when obtained, to hold on to it. If farmer Assemblymen were, as William Smith charged, chiefly interested in the regulation of highways and the destruction of wolves, wildcats, and foxes, their tenant constituents had views equally mundane, although often more rebellious. Dutchess County town meetings dwelt mainly on the fencing of hogs.

All the same a visceral hatred of the aristocratic landlord was almost an inherited passion in the Dutchess countryside. It was to this palpable while inchoate reality that Anti-Federalist orators appealed so in 1787-1788. It was this that Federalist penmen had in mind in calling Orange and Dutchess Anti-Federalists followers of Jack Cade.[10]

In truth, by 1788 the landlord's oppression had become more rhetorical than real in Dutchess County; but it had become so only because of the confiscation of Loyalist lands. What Crevecoeur said of Europe - "a country that has no bread for him, whose fields procured him no harvest, who met nothing but the frowns of the rich, the severity of the laws, with jails and punishments" - had been America for the tenant of pre-Revolutionary Dutchess. And what his philosophical Ulster neighbor thought the inevitable fruits of immigration, the Dutchess County tenant had to wrest by revolution.

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[9]Peter Van Schaack to Philip Schuyler, Apr. 3, 1788, Schuyler Papers, N.Y.P.L.

[10][Poughkeepsie] Country Journal, Mar. 18, 1788. See the description of the campaign in my "Anti-Federalism in Dutchess County," ch. I.

Commercial Farming

For all its virulent anti-landlordism, Dutchess County voted Anti-Federalist in the elections to the New York ratifying convention by a margin of only two-to-one, and in the final vote on ratification four of its seven delegates voted "Yea." The election results cannot be regarded as an accurate barometer of popular sentiment, for we know that in this as in other elections of the 1780's the Federalist landlords of northwestern Dutchess used "compulsive measures among the tenants."[11] But the shift of Gilbert Livingston, Zephaniah Platt, John DeWitt and Melancton Smith at the convention is more difficult to explain. Smith, of course, was in 1788 a New York City merchant: his political future did not lie in the county. But if the other three hoped for future political careers, they would have been unlikely to change as they did without expectation of considerable popular support.

The fact is that the Dutchess electorate in 1788 was responding to more than the traditional anti-landlordism of the county's "common people."[12] The spread of commercial

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[11] Cornelius Wynkoop, Jr., to Peter Van Gaasbeck, May 5, 1788, Van Gaasbeck Papers, F.D.R. Library. See also Thomas Tillotson to Robert R. Livingston, Mar. 23, 1787 and Margaret Beekman Livingston to Robert R. Livingston, Apr. 1789, Robert R. Livingston Papers; Robert Livingston, Jr., to James Duane, Apr. 30, 1788, Duane Papers; Peter Van Schaack to Philip Schuyler, Apr. 3, 1788, Schuyler Papers, N.Y.P.L.; Abraham G. Lansing to Abraham Yates, July 20, 1788, Yates Papers.

[12] "I find the new Constitution circulating here . . . . The common people here will generally oppose it" (Peter Tappen to George Clinton, Sept. 29, 1787, Bancroft Transcripts, N.Y.P.L.).

farming - the orientation of farm management to the sale of a surplus in distant markets - created practical inducements to political conservatism which conflicted with the traditional anti-landlordism. In 1785, Robert R. Livingston was still obliged (as in 1777) to exclude himself from the gubernatorial race "on account of the prejudices against his family name."[13] But when, at the state ratifying convention in 1788, the Chancellor rose to announce that "we are all equally aristocrats,"[14] his remark was not altogether ridiculous: for small as well as large farmers could feel the pull of an expanding economy and a wide-open market. In the 1890's, Kansas wheat farmers became political radicals; but in the 1780's, dependence on a foreign market which called for a strong government to guard ocean shipping and pry open prohibited ports, led to political conservatism. It was no accident that all the Dutchess delegates who changed at the convention came from the county's leading commercial town, Poughkeepsie. Only in areas where landlordism was still strong <u>and</u> the means of shipping grain to market remote, could the old anti-aristocratic sentiment continue to work unchallenged. We do not have precinct election returns for 1788 from Dutchess County, but in neighboring Columbia, it was the old eastern manor area - traditional theater of unrest <u>and</u> twenty miles from the Hudson - that was most

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[13]Philip Schuyler to John Jay, May 30, 1785, <u>Correspondence and Public Papers of Jay</u>, III, 151.

[14]See Dangerfield, <u>Chancellor Livingston</u>, 228-230.

strongly Anti-Federalist.[15]

The area of New York state which practiced commercial farming and bought goods from the metropolis in exchange, was expanding rapidly in the 1780's. James Beekman, for example, expanded his upstate trade to five-eighths of his total sales.[16] The town of Hudson, more than 100 miles from the Atlantic Ocean, exported in 1788 the following: To the West Indies (in eleven ships, each of 120 tons, which sailed back and forth to the islands), 3000 barrels of herring, 40 horses, 800 hogs, 700 firkins of butter and lard, 500 barrels of peas, 50,000 staves for sugar-barrels, 15,000 barrel hoops, and "a quantity of beef pork corn oats hay"; to Europe (in four vessels of 200 tons apiece), flaxseed, pot ashes, barrel-staves, timber and rum - all in addition to the whaling products, such as spermacetti and whalebone, in which the town specialized![17] Here was no self-sufficient frontier or isolated, unspoilt village economy. Referring to the nation as a whole, Gouverneur Morris estimated before the end of the Revolution that the average family spent $000 a year on products obtained through foreign or domestic commerce.[18]

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[15]See Abraham Yates ---, June 2, 1787, Yates Papers, and Cornelius Wynkoop, Jr., to Peter Van Gaasbeck, May 5, 1788, Van Gaasbeck Papers, for voting in eastern Columbia County. This was the area Peter Van Schaack (as cited above, n. 9) had in mind when he said that Federalism had no hope because of "the ill-fated controversies about their lands."

[16]White, Beekmans of New York, 523. See also Noah Webster, "Description of New York," American Museum, Mar. 1788, for an estimate of New York City's trading area.

[17]Thomas Jenkins to Robert R. Livingston, Jan. 10, 1789, Robert R. Livingston Papers.

[18]"Some thoughts on the Finances of America," n.d., Gouverneur Morris Papers, Columbia U. Morris' figure is an average: he gives the expenditure of a "middling" family as $272.

The importance of the "commercial farming" areas in the ratification struggle is, of course, no new point. It was the fundamental conclusion of Orin Libby's 1894 study of the geographical distribution of the vote on the Constitution.[19] More recently, Jackson T. Main has underlined Libby's analysis with a wealth of fresh documentation.[20] Because Beard handsomely acknowledged Libby,[21] it has apparently been assumed that he built on Libby's conclusions: but in this crucial regard Beard took a long step backward. For Beard largely ignored Libby's painstaking distinction between subsistence and commercial farmers, and reverted to the all-too-well-worn contrast of "the farmer" and the capitalist. In speaking of the ratification struggle as one between "capitalistic and agrarian interests"[22] and in asserting that "the democratic party was the agrarian element,"[23] Beard not only ignored the democratic artisans in the cities but also vastly oversimplified the situation in the countryside. He ignored the difference between commercial and subsistence farmers; he also neglected the fact that landlords and land speculators were capitalists, and committed himself to the fantastic pro-

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[19]Orin G. Libby, The Geographical Distribution of the Vote of the Thirteen States on the Federal Constitution, 1787-1788 (Madison, 1894).

[20]Jackson T. Main, The Antifederalists: Critics of the Constitution, 1781-1788 (Chapel Hill, 1961), especially 268-274.

[21]Thus Beard, Economic Interpretation, 5, where Libby's work is called "the most important single contribution to the interpretation of the movement for the federal Constitution."

[22]Beard, Economic Origins of Jeffersonian Democracy (New York, 1915), 3.

[23]Beard, Economic Interpretation, 258.

sition that the most throughly aristocratic element in the state of New York - the patrician landlords of the Hudson Valley - were somehow on the side of democracy (this blunder was corrected in the introduction to the 1935 edition). By distorting Libby's work, Beard made almost impossible a rational explanation of the Constitution's popular support. For in a country where only 3 per cent of the population lived in towns with a population of more than 8000 (Beard's figures), even the support of all classes in the cities could hardly have made possible the adoption of the Constitution by the requisite nine states. To ignore the commercial farmer made a conspiracy theory inevitable.

The state of New York's response to the United States Constitution, Libby observed, was a classic example of the influence of commercial farming. Only New York City and the most immediately adjacent rural areas (the counties of Richmond, Staten Island and Westchester) elected Federalists to the state ratifying convention. The delegates who, elected as Anti-Federalists, voted in the end to ratify, came from the next ring of counties: Queens and Suffolk on Long Island, and Dutchess. Those areas most distant from the sea and the Hudson opposed the Constitution to the bitter end. And the provincial towns showed the same pattern: Albany and Hudson voted Federalist, although Albany and Columbia counties did not;[24] Poughkeepsie, whose residents were reported mostly Federalist in January,[25]

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[24]Spaulding, New York in the Critical Period, 228-229.

[25]Abraham Bancker to Evert Bancker, Jan. 19, 1788, Abraham Bancker Papers, N.-Y.H.S.

was as stated earlier the home neighborhood of those Dutchess delegates who changed over while the convention was in session; Kingston, principal town of arch-Clintonian Ulster County, became a Federalist center a few years later. As Main rephrases Libby:

> The commercial interest was not just urban. The commercial centers were supported by nearby rural areas which depended upon the towns as markets and as agencies through which their produce was exported overseas. That is to say, the commercial interest also embraced large numbers of farmers, and the influence of each town radiated, perhaps in a degree relative to its size or commercial significance. The same influence permeated the rich river valleys and bound the great planters and other large landowners in the commercial nexus. Just as in physics each point along a beam of light itself acts as a point source of light, so also the major channels of commerce, rivers or roads, influenced the country through which they passed.[26]

Dutchess County, intermediate between the seacoast counties with little history of landlordism (Queens and Suffolk) and the isolated and still landlord-dominated counties (Albany and Columbia), neatly expressed the opposing influences of anti-landlordism and commercial farming by its split delegation.

The feelings of farmers in the commercial farming sections are suggested by some surviving letters. John Smith, a Long Island Anti-Federalist, felt keenly the pressure arising from his constituents' commercial involvements. The Federalists, Smith complained, declared that "he that has old Horses will sell them for a Large sum when all the Ports in the west Indies are open [and] he who has fat oxen will get double for them" - if the Constitution were adopted.[27] When, early in July while the

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[26]Main, Antifederalists, 271.

[27]John Smith to David Gelston, n.d. [but before the state ratifying convention met], John Smith Papers, N.-Y.H.S.

convention sat, word came that New Hampshire and Virginia had ratified so that the Constitution was now the law of the land, the pressure mounted. Ezra L'Hommedieu, a moderate Federalist, wrote to Smith (now a convention delegate): "You may be assured, that since the adoption by New Hampshire & Virginia a great Change in Sentiment has taken Place with those who were before opposed to the Constitution. I believe there are but few if any in this City [New York] who do not think it expedient for this State under the present Circumstances to become part of the Union & so far as I am informed the sentiment is general in the southern part of the state." Referring to the change in sentiment of Samuel Jones of Queens County, L'Hommedieu continued: "We hear that Mr. Jones is for adopting the Constitution, by the Information I have had from Queens County his Conduct in that particular will be approved by his Constituents, it is here by those who have been opposed as well as those who have approved."[28] Smith presumably could read between the lines, for he too voted "Yea." And while such correspondence has not survived from Dutchess, it seems reasonable to suppose that Gilbert Livingston, Zephaniah Platt and John DeWitt were under similar pressure during those critical July weeks.

Just as mechanic Federalism was plain years before the ratification debate, so the eventual Federalism of the commercial farming areas could have been surmised from voting in the

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[28] L'Hommedieu to Smith, July 20, 1788, John Smith Papers.

New York legislature as early as 1786. Jonathan Havens and David Hedges of Queens and John DeWitt of Dutchess, all of whom changed over during the New York convention, all also voted against paper money, and for a Federal impost, two years before.[28] Indeed of the eleven delagates at the New York convention who switched from opposition to final support of the Constitution, seven had been opponents of paper money.[29] In 1788, delegates from the commercial farming areas began to vote with the Federalists at the ratifying convention several days before the final vote on ratification. On July 19, Jones, Schenck and Havens of Long Island voted with the Federalists to adjourn the convention.[30] On July 21, Platt from Dutchess along with Havens, Jones, Carman, Lawrence and Schenck from Long Island joined the Federalist minority in voting on an amendment regarding a standing army. The same day, Schenck and Lawrence stayed with the Federalists in voting on another amendment respecting the holding of public offices by Congressmen. In the first decisive vote (July 23) on the motion to ratify "in full confidence" that amendments would later be adopted, these six men were joined by DeWitt, Gilbert Livingston and Melancton Smith of Dutchess, together with three more Long Islanders, to produce a Federalist majority.[31]

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[28] Journal of the Assembly (New York, 1786), votes Feb. 11 to Mar. 30.

[29] Main, Antifederalists, 269.

[30] DeWitt Clinton to Charles Tillinghast, July 19, 1788, DeWitt Clinton Papers, Columbia U.

[31] The voting on amendments is recorded in the convention notes of John McKesson (McKesson Papers).

Dutchess County in 1788 thus faced both backward toward its neo-feudal past, and forward to its entrepreneurial future. Class and sectional influences played a part. 1775-1825 was the "grain period" of Dutchess history when "all but the most isolated farms raised wheat for the New York market."[32] This involvement in far-flung markets pushed Dutchess farmers to think nationally, and to appreciate the protection a strong government could give.

Yet as Libby noted with some puzzlement,[33] Dutchess like the rest of the Hudson Valley was fundamentally Anti-Federalist territory. To account for this, one must over-lay Libby's pattern of sectionalism with the pattern of landlord-tenant conflict. In neighborhoods like southeastern Dutchess or eastern Columbia County, where markets were inaccessible and the anti-landlord tradition strong, Anti-Federalism followed as a matter of course.

The mixed emotions and split votes of Dutchess County during the ratification struggle expressed the conflict of these contending influences. In New York City, too, the political behavior of the artisans was not the simple result of either class or sectional forces, but a complex compound of both.

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[32]Martha Collins Bayne, County At Large (Poughkeepsie, 1937), 3.

[33]Libby, Geographical Distribution, 21: ". . . what has been given seems insufficient to explain why the state should have been so strongly Anti-Federal north of New York county, with such a river as the Hudson . . . opening up the whole region to . . . commercial relations with New York City."

Working-Class Federalism

Sherlock Holmes once observed (in the case of the racehorse "Silver Blaze") that the most "curious incident" in a situation can be the thing that does not happen. The most interesting fact about New York City politics in the years 1783-1788 is that the mechanics did not oppose the United States Constitution. They did not join with their rural counterparts, the tenants and small yeomen, in a struggle of "poor guys" against "rich guys."[34] On the contrary, as in Boston, Philadelphia, Baltimore and Charleston,[35] the artisans voted overwhelmingly (the New York City margin was twenty-to-one) for Federalist candidates to the state ratifying convention. The genuineness of this working-class Federalism is beyond question. For apart from the fact that the election in New York was by secret ballot and open to all adult males, the New York City mechanics (as in all the other large cities) capped their ballots with a victory parade in which craft after craft marched under its banners.[36]

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[34]This is Forrest McDonald's five-word version of the Beard thesis, in his exchange with Jackson T. Main, William and Mary Quarterly, Ser. 4, XVII (1960). Lefebvre likewise points out for the French Revolution that the politics of the rural poor were quite distinct from those of the town-dwelling artisan (quoted and translated in Greenlaw, op. cit., 75).

[35]See on the mechanics in general, Main, Antifederalists, 266-268. On the mechanics of Charleston, see ibid., 219, and Walsh, Charleston's Sons of Liberty, 109 ff. On the mechanics of Philadelphia, see Main, op. cit., 190, 273, and Robert L. Brunhouse, The Counter-Revolution in Pennsylvania, 1776-1790, 142, 165, 176-177.

[36]See above, Chapter X, n. 1.

It will not do to dismiss the Federalism of the artisans as "petty-bourgeois." The contemporary Jacobin mobs in Paris were drawn, like the New York mechanics, from a variegated array of "workshop masters, craftsmen, wage-earners, shopkeepers, and petty traders."[37] Clearly what needs to be explained is why such groups were revolutionary in France, but conservative in the America of 1787-1788.

Working-class Federalism was recognized by Beard, but quickly dismissed on the ground that urban workingmen were "politically non-existent" and lacked "an organization that commanded the attention of the politicians of the time."[38] In the 1930's even this much was forgotten. Influenced no doubt by the surge of labor organization in those years, Herbert Morais wrote of the New York City Sons of Liberty that in the 1780's they were "still on the alert to detect the slightest sign of counterrevolutionary activity, serving as a democratic leaven in the formative post-war society";[39] and Eugene P. Link agreed that "these organizations, which were composed largely of artisans and mechanics, preserved their watch over government well into the postwar era."[40] It was natural enough for Morais, studying mechanic activity before 1775, to extrapolate forward, and for Link, interested in the 1790's,

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[37]George Rude, The Crowd in the French Revolution (Oxford, 1959), 178; see also Lefebvre, The Coming of the French Revolution, tr. R. R. Palmer (Princeton, 1947), 98.

[38]Beard, Economic Interpretation, 25, 26.

[39]The Era of the American Revolution, ed. Morris, 289.

[40]Eugene P. Link, Democratic-Republican Societies, 1790-1800 (New York, 1942), 22.

to extrapolate backward, and so for both to suppose that the 1780's was as full of class conflict as the decades just before and after. So Link cited Morais, Morais cited Pomerantz, and Pomerantz instanced one meeting of the Sons of Liberty, in March 1784.[41] But unfortunately for the Link-Morais thesis, there were no others.

Neither of the conceptions of the Constitution dominant in recent years easily found room for mechanic Federalism. If, as has traditionally been supposed, the Constitution was simply the work of high-minded patriots responding to national needs, a forcible mechanics' movement was superfluous. While if, on the Beardian supposition, the Constitution was essentially a coup d'etat engineered against the people's will by a capitalist elite, important lower-class support for that document became embarrassing. Hence neither foes nor friends of the Beardian view have been eager to explore the implications of the mechanics' position.

Jackson T. Main had now pinned down the problem of mechanic Federalism so firmly that it will, henceforth, be more difficult to evade. "The most serious of all objections to an interpretation based exclusively on an alignment along class lines," Main writes, "is the complete absence of a division of opinion in the towns. Where there should have been the most feeling, the least existed."[42]

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[41]Pomerantz, New York, 82-83.

[42]Main, Antifederalists, 266.

Now, this "should" is interesting. Why should the mechanics have opposed the Constitution, according to a class interpretation? Certainly the class interpretation of Karl Marx does not require it, for Marx wrote of the working-class in a young capitalist society that "at this stage . . . the proletarians do not fight their enemies, but the enemies of their enemies, the remnants of absolute monarchy, the landowners, the non-industrial bourgeois, the petty bourgeoisie."[43] What Main really is saying at this point is that according to Charles Beard's particular version of class interpretation, which contraposed "poor guys" and "rich guys" throughout American history and left it at that, the artisans should have been Anti-Federalist. Once again we confront the fatal error of regarding Beard's as the only possible economic interpretation.

The evidence presented in this study suggests that the politics of the mechanics stemmed partly from class considerations, partly from sectional ones. Dependent on commerce for their livelihood, urban artisans could not view with indifference the prospect of high tariffs and a strong navy.[44] John Adams, Main reminds us, defined the "Mercantile Interest" to include "Mechanicks" and "Labourers" as well as merchants,[45] and insofar as mechanic politics reflected their dependence on this

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[43]Karl Marx and Friedrich Engels, "The Communist Manifesto," Marx and Engels: Basic Writings on Politics and Philosophy, ed. Lewis S. Feuer (Garden City, 1959), 15.

[44]See especially Monaghan and Lowenthal, This Was New York, 68-69.

[45]Main, Antifederalists, 270.

network of national and international commerce, sectional rather than class interests certainly were dominant. Inevitably the mechanic was more nationalistic than the man with a hoe up-river. It was altogether natural for the artisan to view a strong Federal government as an indispensable tool wherewith to safeguard and complete the American Revolution, to see it (in the words of Tom Paine) as "our anchor in the world of empires."[46]

The mechanics, of course, were followers not leaders, constituents not conspirators. It was a "small and active group"[47] of wealthy men and their professional associates who gathered in Philadelphia to make a constitution, and "paid no more regard to their orders and credentials than Caesar when he crossed the Rubicon."[48]

Yet the mechanic contribution to ratification, at least in the state of New York, was by no means so negligible as Beard supposed. One scholar after another scholar has concluded that ratification in New York owed much to the threat of secession by the southern portion of the state, in the event the Constitution was rejected by the New York convention.[49] Hamilton and Robert R. Livingston, the leading Federalist speakers at the convention, both portrayed the threat in lively

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[46]Works, ed. Foner, II, 341.

[47]Beard, Economic Interpretation, 324.

[48]"Essays on Various Political Subjects," Yates Papers.

[49]See, most recently, the evidence collected by Main, Antifederalists, 238-239. This is one of the few points on which Beardians like Spaulding and anti-Beardians like Forrest McDonald are in complete agreement.

colors.[50] The city's leading newspaper referred to secession as a possibility 'daily discussed by many of our citizens.'[51] Evert Bancker witnessed to the fact that small men as well as Federalist strategists were thinking of the possible secession of New York City and environs. Rejection of the Constitution, Bancker wrote, would mean 'an exclusion of trade with the United States, but I do believe if the Convention Exclude this State out of the Union, that this City & County will not; nor West Chester, Long Island & Staten Island, and will desire the protection of the United States therein.'[52]

Had the city mechanics been opposed or seriously divided on the Constitution, this threat could never have been made. To work as a 'credible deterrent,' the threat of secession assumed general knowledge at the convention that all classes in the city - rich and poor, merchant and mechanic - stood solidly behind the Federalist program.

Even before the convention assembled, Hamilton had concluded that the threat of secession had led city Anti-Federalists toward compromise. They did not, he thought, want the convention to reject the Constitution outright. 'The views of the leaders in this city,' Hamilton wrote Madison, 'are pretty well ascertained to be turned towards a long adjournment say till next spring or summer. Their incautious ones observe, that

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[50]Debates of July 17, Gilbert Livingston Papers; undated debates, McKesson Papers.

[51]New York Daily Advertiser, June 14, 1788.

[52]Evert to Abraham Bancker, July 24, 1788, Abraham Bancker Papers.

this will give an opportunity to the State to see how the government works and to act according to circumstances." This Anti-Federalist strategy seemed to Hamilton the natural consequence of their knowledge that immediate rejection of the Constitution would lead to immediate secession by New York City.[53]

Hamilton had no reason to deceive his most intimate political associate, and other evidence supports his analysis. Thus Marinus Willett, as mentioned above, was reported ready to accept the Constitution on the eve of the convention.[54] Melancton Smith likewise was accused in the Dutchess County press of having "grown cool" in his Anti-Federalism after ratification by Massachusetts.[55] After the convention, all the leading city Anti-Federalists (Lamb, Jones, Willett, Gelston, Charles Tillinghast, James Hughes, Jonathan Lawrence, Ezekiel Robins and Solomon Townsend) supported Smith's dramatic reversal at Poughkeepsie.[56] Thus it seems quite likely that Hamilton was correct in his opinion that the "radicals" of New York City were prepared for compromise even before the accession of New Hampshire and Virginia. And if the pressure of commercial farmers helps to explain the votes for ratification of the delegates from Long Island and Poughkeepsie, surely mechanic pressure must be pertinent to the reversal of

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[53]Hamilton to Madison, June 8, 1788, Works, ed. J.C. Hamilton, 454-455.

[54]Morgan Lewis to Margaret Beekman Livingston, May 4, 1788, Robert R. Livingston Papers.

[55][Poughkeepsie] Country Journal, Mar. 4, 1788.

[56]Letters to other counties and states of the Federal Republican Club of New York City, Nov. 4, 1788, Lamb Papers.

Melancton Smith and his New York City associates.

As in the case of Dutchess tenants, class as well as sectional factors entered into the politics of the artisans. The New York City artisans were the most consistently democratic group in the state throughout the Revolutionary Era. If the pre-Revolutionary Sons of Liberty were to some extent a tool in the hands of aristocratic leaders,[57] the post-Revolutionary mechanics' movement, we have shown, supported mechanics for office, and instructed them as to the legislation they were expected to support, in a deliberate attempt to unseat "aristocratic" control of city and state. Mechanic support for the Constitution does not justify the picture of "a lower class more interested in its economic welfare than in constitutional forms, and likely to support either Liberal or Conservative, Whig or Tory, revolution or counterrevolution as might seem best."[58] Before the merchant-mechanic coalition of 1785, mechanics campaigned for such democratic reforms as the popular election of city officials. And the moment the Constitution had been adopted, spokesmen for the "middling or lower class of people" re-opened the contention, asserting that if those groups had "any regard to their independence and liberty, parties must be formed, and a contention arise between the different classes."[59]

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[57]Champagne, "Sons of Liberty," 507.

[58]Robert R. Palmer, The Age of the Democratic Revolution (Princeton, 1959), I, 138.

[59]"Temon," New York Journal, Sept. 25, 1788.

In appraising the meaning of mechanic Federalism, it is essential to remember how novel in the English-speaking world of the 1780's was the participation of workingmen in politics. Fifty years after New York City artisans had been elected to the state legislature, the London Times stated that to admit workingmen to Parliament would be to return to "that state of savage nature in which the natural rights of men might be exercised by everyone who was strong enough to oppress his neighbor,"[60] and a generation later still, Prime Minister Palmerston observed that workingmen M.P.'s would waste time in discussions of "the grievances of journeymen bakers, who disliked night work," and other matters "which did not lie within the province of legislation."[61] Even the term "class" was freely used in New York politics at a time when it was hardly known in England.[62] In the context of the time, again, the American mechanic movement was by no means immature. There is no avoiding the conclusion that workingmen supported the Constitution after cool and careful consideration, believing that it served both their own interest and the interest of the nation as a whole as seen from where they stood.

The alliance of merchants and mechanics was always, as Walsh says of Charleston, somewhat "unnatural." The mechanics

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[60]Elie Halevy, The Triumph of Reform, 1830-1841, 2nd ed. (London, 1950), 296 n.

[61]E. L. Woodward, The Age of Reform, 1815-1870 (Oxford, 1949), 155.

[62]Asa Briggs, "The Language of 'Class' in Early Nineteenth-Century England," Essays in Labour History in Memory of G. D. H. Cole, ed. Asa Briggs and John Saville (London, 1960), 51-53.

Conclusion

Scholarly appraisals of the Constitution have tended to veer between uncritical panegyric and shallow debunking. It is peculiarly difficult, even today, to regard the American Revolution as a force which hammered out new chains as it broke old ones, which closed off some possibilities while it liberated men for others, which destroyed good along with bad and created bad as well as good. Yet it was such a force; and the existence of the mechanics - Federalist but also class-conscious, pro-capitalist but also anti-aristocratic - compels us to recognize it.

The Founders were indeed bourgeois men, laying the foundation of a bourgeois society. But the mechanics accepted this. In their agitation, there was no hint of economic desires going beyond the wish for an expanding capitalist economy in which all might prosper. The 'levelling' tenants of Dutchess County, similarly, wanted nothing so much as farms of their own.

But if the Constitution was middle-class it was also, in the context of its day, democratic. It rejected direct democracy but turned away from monarchy as well, constructing a representative republic for the nation and guaranteeing it to the states. The Constitution represented a conservative consolidation of the Revolution, but not its betrayal. The Declaration of Independence, too, was drafted by well-to-do men fearful (as they twice said in that document) of popular insurrection. Had the Constitution been fundamentally

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LIVINGSTON, Henry G. Exacting Dutchess landlord, son of Robert G. Livingston.

LIVINGSTON, Margaret B. Large Dutchess landowner, mother of Robert R. Livingston, Jr.

LIVINGSTON, Peter R. Fourth Lord of Livingston Manor.

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LIVINGSTON, Robert R., Sr. Judge, defeated in Assembly elections of 1768 and 1769.

MALCOM, William. New York City merchant, Son of Liberty.

MORRIS, Roger. One of three heirs to Philipse Patent in southern Dutchess.

PAINE, Ephraim. Farmer and lawyer of eastern Dutchess, radical legislator, defeated as candidate for governor in 1783.

PATTERSON, Mathew. Merchant of southeastern Dutchess, Anti-Federalist.

PLATT, Zephaniah. Poughkeepsie judge, Anti-Federalist.

PRENDERGAST, William. Leader of Dutchess County tenant rising in 1766, sentenced to death but pardoned.

ROBINSON, Beverly. Aggressive south Dutchess landlord, one of three heirs of Philipse Patent.

SCOTT, John Morin. Son of Liberty, defeated as candidate for governor in 1777, pushed radical legislation during war.

SEARS, Isaac. Merchant, radical Son of Liberty.

SETON, William. Loyalist, first cashier of Bank of New York.

SMITH, Melancton. Dutchess merchant before and during Revolution, leading New York City Anti-Federalist after war.

SMITH, William. Loyalist, historian, under house arrest at Livingston Manor 1776-1778.

SWARTWOUT, Jacobus. Fishkill farmer, general in Revolution, Anti-Federalist delegate in 1788 and voted against Constitution.

TAPPEN, Peter. Poughkeepsie doctor, Anti-Federalist.

TILLINGHAST, Charles. New York City distiller, Anti-Federalist.

TILLOTSON, Thomas. Doctor, brother-in-law of Robert R. Livingston, Jr., Federalist.

VAN KLEEK, Leonard. Successful Dutchess candidate for Assembly in 1768 and 1769.

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VAN ZANDT, Wynant. New York City merchant.

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YATES, Abraham, Jr. Albany lawyer and politician, leading Anti-Federalist pamphleteer.

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ESSAY ON MANUSCRIPTS

The history of New York in the Revolutionary Era is a much-studied story, and really new insights are likely to come only from the discovery and creative use of new manuscript sources.

The papers of the New York conservatives constitute the most important manuscript source. These men saved their letters, and recently, systematic effort has begun to bring together the papers of the most significant figures. The Robert R. Livingston Papers at the New-York Historical Society must be supplemented by the Livingston-Redmond collection at the Franklin Delano Roosevelt Library and other, smaller collections (the best bibliography of Livingston family manuscripts is in Joan Gordon, "Kinship and Class," unpublished Ph.D. thesis, Columbia University, 1959). George Dangerfield's Chancellor Livingston is a stimulating first draft on the wealth of the Robert R. Livingston collection, but much more remains to be exploited. The papers of Alexander Hamilton are being published by the Columbia University Press under the editorship of Harold C. Syrett. At this writing, the published volumes come only to 1781 and material for later dates must be consulted in manuscript at the office of the Hamilton Project. Columbia University is also assembling, although not for publication, the complete papers of John Jay. Even the University's Iselin Collection of

Jay Papers, although long available, has not been sufficiently explored by scholars, who have relied on Jared Sparks' heavily-edited version of Jay's correspondence with Gouverneur Morris, and on Henry Johnston's edition of Jay's letters and public papers. Columbia University has also recently acquired a collection of Gouverneur Morris Papers which, while representing only a part of that brilliant man's output, contain a valuable series of manuscript essays on wartime economic problems. Philip Schuyler's papers are in a scattered and unsatisfactory state: a biography soon to be published by the University of Nebraska Press will make possible systematic use of Schuyler's papers, a long-overdue project. The James Duane Papers at the New-York Historical Society have also been made the basis of a biography, but contain much neglected material on the work of that pivotal figure in the Continental Congress. Some day, one hopes, a collective biography of this brilliant galaxy of New York conservatives will reveal their full contribution to the shaping of the new nation. The present study, necessarily, has glanced at them only peripherally.

Many of the records of the government of New York during the Revolutionary War were destroyed by the great fire at the New York State Library. Nonetheless, several volumes of charred but legible Assembly and Senate Papers remain, comprising principally petitions. The volumes of Revolutionary Manuscripts at the state library are also helpful.

Local records are often scattered in several repositories, when they exist at all. Yet it is also true that the search for the kind of tax- and election-records which Robert E. Brown

used so successfully in Massachusetts, has hardly begun for New York. An instance of the buried treasure waiting to be found and used is the complete tax register for New York City, in two different years of the 1790's, at the New-York Historical Society. Election returns for units smaller than the county will probably always remain fragmentary for the Revolutionary Era. Contemporaries, however, often made surprisingly detailed estimates of both political and commercial statistics, which can yield fruit if interpreted cautiously. In the case of Dutchess County, complete records of the sales of confiscated Loyalist lands were found both at the New-York Historical Society and at the Dutchess County Clerk's office; extensive manuscript tax records turned up at the Adriance Memorial Library and at the New York State Library; and perhaps two dozen petitions of Dutchess County farmers were discovered in various libraries. In addition, the correspondence of the Dutchess Commissioners for Forfeited Lands (at the New-York Historical Society), some scattered papers of Samuel Munroe (the tenants' attorney in the 1760's) in the same library, and the correspondence of two county officials (Henry Livingston, whose papers are at the Franklin Delano Roosevelt Library; and Gilbert Livingston, whose papers are at the New York Public Library), helped bring bare statistics to life. There seems to be no good reason to assume that other counties would yield less.

New York City politics are illumined by the minutes of the Chamber of Commerce (in photostat at the New York Public Library) and the General Society of Mechanics and Tradesmen (typescript

at the Society's library in New York City). The Bank of New York in New York City also has a rather rich store of papers, partially utilized by Robert A. East and Broadus Mitchell. Helpful political correspondence is available in the well-known papers of John Lamb at the New-York Historical Society (which, however, have not been sufficiently consulted for the years before 1787-1788), and in the same library's collections for Alexander McDougall, John Smith, John McKesson, William Duer, and the several Banckers. Commercial correspondence is best approached by way of the New York Public Library's collections for William Constable, Wynant Van Zandt, and the firm of Stewart and Jones. The splendid broadside collection of the New-York Historical Society is particularly rich for the election of December 1783; the collection of the New York Public Library also contains many valuable items.

Perhaps the most exciting single source explored in the course of the present study was the Abraham Yates, Jr. Papers at the New York Public Library. The letters in this collection have long been known and used, but the manuscript "Rough Hewer" essays and the other political and historical manuscripts (including an unpublished history of the movement for the United States Constitution), appear to be the single best source in the country for the study of the Anti-Federalist mind. Here, too, only a beginning has been made in the present work.

It seems hardly an exaggeration to assert that properly detailed study of New York in the Revolution has barely begun. The world (as Milton said of Adam and Eve at the gates of Paradise) is all before us.

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